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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,  
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,  
INCLUDING THE RIGHT TO DEVELOPMENT**

**Report of the Special Rapporteur on violence against women,  
its causes and consequences, Yakin Ertürk\***

**Addendum**

**Political economy and violence against women\*\***

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\* The report was submitted late in order to reflect the most recent information.

\*\* Owing to its length, the report is circulated as received, in the language of submission only.

### **Executive summary**

This report examines the current political economic order that is often neglected in analyses of women's human rights and violence against women, but profoundly affects both the prevalence of this violence and the efforts to eliminate it. Women's physical security and freedom from violence are inextricably linked to the material basis of relationships that govern the distribution and use of resources, entitlements and authority within the home, the community and the transnational realm. Cultural rationales for limiting or negating women's rights are thus, linked to particular material interests and inequalities on the ground. Nowhere in the world do women share equal social and economic rights or equal access to productive resources such as land, technology, capital and credit with men.

Economic globalization and development, and most urgently, the global economic recession, are creating new challenges for women's rights as well as some new opportunities for advancing women's economic independence and gender equality. The proliferation of armed conflicts, often caused by struggles to control power and productive resources, has also setback efforts to protect and prevent violence against women. Furthermore, post-conflict and post humanitarian crisis and natural disaster processes have tended to deepen gender inequalities in economic and political participation, thus further constraining women's access to social and economic rights and affecting their vulnerability to violence.

Preventing violence against women and improving women's situation in a neoliberal global environment requires a holistic approach to women's rights. Yet a persistent problem in the human rights system is the dichotomous treatment of rights into civil and political on the one hand, and economic and social on the other. However, unless women can achieve economic independence or be empowered socially and politically, the human rights they hear about will remain abstract concepts. The report identifies how lack of access to particular economic and social rights, such as the right to land, housing, and food are directly linked to the increased risk of violence against women. It reveals how economic and social security is crucial for both protecting and preventing violence against women. These findings have particular relevance in light of the predicted negative impacts of the economic crisis on women and their family's livelihoods.

Current approaches to understanding and responding to violence against women must be broadened to take account of causes and consequences of violence evident in women's poverty and labour exploitation, their socio-economic inequality with men, and their exclusion from political decision-making. In order to attend to prevention as well as protection and prosecution of violence against women, the report calls for mainstreaming violence against women assessments into all governance and public policies, and encourages the integration of initiatives to end violence against women within the larger struggle for social and economic equality within the human rights movement.

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## Introduction

1. This report addresses political economy and violence against women.<sup>1</sup> It aims to elucidate the aspects of global and local political economic environments that serve to either constrain or enable efforts to end violence against women. The report follows from the Special Rapporteur's previous reports on "The due diligence standard as a tool for the elimination of violence against women" (E/CN.4/2006/61), and on "Intersections between culture and violence against women" (A/HRC/4/34), where cultural discourses and global economic re-structuring were identified as major challenges to the achievement of gender equality and to the elimination of violence against women.<sup>2</sup> A viable strategy in addressing the issue of culture and violence against women must include a political economy perspective, which allows one to understand the material foundation and the underlying vested interests of cultural norms and practices. The current report aims to respond to that need.<sup>3</sup> Its political economy approach to violence against women is especially relevant in the context of the current global economic crisis. The crisis is predicted to have a disproportionate negative impact on women and girls' education, employment, and livelihoods, all of which the report shows are linked to their increased risks of violence, due in part to men's responses to economic displacement and disempowerment.

2. Gender inequality in the enjoyment of economic and social rights makes women especially vulnerable to violence, exploitation and other forms of abuse.<sup>4</sup> Economic and social inequalities

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<sup>1</sup> The Special Rapporteur would like to thank Jacqui True, professor at the University of Auckland New Zealand, for her research. The result of this research is contained in the present document.

<sup>2</sup> The report builds on earlier reports on the impact of global restructuring and the attention to economic and social rights by Radhika Coomarswamy, the previous Special Rapporteur on Violence against Women, its causes and consequences (E/CN.4/2000/68; E/CN.4/2001/73).

<sup>3</sup> The report is based on a comprehensive review of literature, including reports from United Nations and other international institutions, civil society organisations and research institutes. Additional inputs were provided through an expert consultation, an online discussion forum conducted over three weeks and from responses to two questionnaires sent to governments and non-governmental organizations/experts respectively. See the Annex for the lists of state responses to the questionnaire and of persons and organisations who were consulted or responded to the questionnaire.

<sup>4</sup> In no country have women achieved the same enjoyment of economic and social rights as men. Clair Apodaca has developed the WESHR achievement index of statistical data that measure progress in women's economic and social rights in all countries that have ratified CEDAW across two time periods. She argues that aggregated data masks significant differences in the realisation of economic and social rights between males and females. "Women lag behind men in every indicator of economic and social rights" (Clair Apodaca. 1998. "Measuring Women's Economic and Social Rights Achievement", in *Human Rights Quarterly* 20, 1: 151); Amnesty International, Economic, Social and Cultural Rights (ESCR) and Women: A Fact Sheet. Available at [www.amnestyusa.org/women](http://www.amnestyusa.org/women).

are identifiable risk factors for violence against women. At the same time, the prevalence of violence against women prevents women from being able to claim and enjoy their full human rights, including their economic and social rights. Data from around the world shows that women are more likely to enjoy the full range of their rights - including civil/political and economic/social rights and face less risks of violence in countries with greater gender equity; although they need not be the richest countries.<sup>5</sup> Within countries there is evidence that gender disparities in the enjoyment of human rights are greatest within poorer income groups.<sup>6</sup>

3. The report develops a political economy approach to understanding and eliminating the causes and consequences of violence against women at all levels from the home to the transnational level. It goes beyond mere distributional issues to identify the entitlement structures that determine women's access to productive resources and the challenges of neo-liberal policy environments. It also addresses the long standing feminist critique of the dichotomization between the 'first generation' (civil and political) and 'second generation' (economic, social, and cultural) rights as contained in the twin Covenants of 1966, namely the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>7</sup>

4. The first section of the report discusses the current limitations of human rights discourse and practice in recognizing and responding to the socioeconomic conditions that produce and sustain gender discrimination and violence. The second section explores how global processes such as neoliberal economic policies, armed conflict, natural disasters and other crises as well as reconstruction efforts have exacerbated violence against women and have hindered efforts to eliminate this violence. This is followed by an examination of the linkages between the lack of access to specific socio-economic rights and women's vulnerability to violence. Particular attention is paid to the contexts in which violence against women occurs, as well as the risk factors and enabling conditions that the abrogation and enjoyment of specific economic and social rights represent. The report ends with conclusions and concrete recommendations for states, international institutions and non-state actors to respond to the structural causes and consequences of violence against women and ensure that women are able to achieve their full human rights.

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<sup>5</sup> M.A. Remenyi. 2007. "Chapter 1", in *The Multiple Faces of the Intersections between HIV and Violence Against Women: Development Connections*, UNIFEM, Pan American Health Organization, Inter-American Commission of Women and the Latin American and Caribbean Women's Health Network; also Social Watch, Press Release 2008, see [www.socialwatch.org](http://www.socialwatch.org).

<sup>6</sup> M. Bamberger, M. Blackden, V. Manoukian, and L. Fort. 2001. "Integrating Gender into Poverty Reduction Strategies" in *Poverty Reduction Country Programme Sourcebook*. Washington, DC: World Bank; and S. Walby and J. Allen. 2004. *Domestic Violence, Sexual Assault and Stalking: Findings from the British Crime Survey*. Home Office Research Study 276, London.

<sup>7</sup> Referred hereafter as the 'twin covenants'. See, C. Romany.1994. "State Responsibility Goes Private: A Feminist Critique of the Public/Private Distinction" in Cook (ed.), in *Human Rights of Women*. University of Pennsylvania Press: 85-115.

5. The report argues that economic destabilisation brought about by globalization processes and neoliberal policies purported by states and international economic institutions are heightening the conditions for, and increasing the extent of violence against women. Persistent and egregious violence against women is intertwined with the feminization of poverty, transnational labor exploitation, limitations on women's sexual and reproductive rights and ongoing control of women's mobility. The report concludes that an integrated approach to human rights, combining the obligations set out in the twin covenants on civil and political rights and economic, social and cultural rights is crucial for the realisation of women's human rights and the elimination of violence against women.

## **I. A POLITICAL ECONOMY APPROACH**

6. Violence against women is a violation of human rights as established in international law. The forms of violence against women are often multiple and wide-ranging, including rape and sexual abuse, forced trafficking, intimate partner violence, female genital mutilation, maternal death, femicide, dowry deaths, honour killings, female infanticide, sexual harassment and forced and early marriage. The violation of the right to life, and liberty and security of the person, amongst others, shapes the enjoyment and fulfillment of all other human rights, including social and economic rights such as the right to work, health, social security, education, food, housing, water and land rights.

7. As well as a violation of human rights, violence against women is a form of systemic discrimination. Women are typically victims of violence because they are women, that is, based on gender constructions of women as inferior or subordinate to men within and across societies. As the CEDAW committee states, violence against women is that "directed against a woman because she is a woman or that affects women disproportionately" (CEDAW General Recommendation No. 19, 11<sup>th</sup> session, 1992). Women are often subject to violence as a result of their gender subordination and multiple intersecting vulnerabilities between gender and their membership in ethnic, nationality, class, and other marginalised groups.

8. The international human rights framework has been slow to address women's human rights. The bias toward violations of human rights in the public sphere has tended to privileged men and male victims. As a result marginalised groups of women were excluded from redress under international human rights law, and the principle of non-discrimination in the protection, prevention and enjoyment of human rights failed to be upheld. Further compounding the negative effects of this public-private division, violations of these rights have often been subject to both relativist and essentialist cultural discourses that overlook unequal and potentially exploitative hierarchical systems and treat women's rights as expendable.

9. Responses to violence against women by governments and international organisations have been fragmented and treated in isolation from the wider concern for women's rights and equality.<sup>8</sup> For example, data and analysis of women's political representation, women's

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<sup>8</sup> Report of the Special Rapporteur on Violence against Women, its causes and consequences, Yakin Erturk, The due diligence as a tool for the elimination of violence against women, E/CN.4/2006/61, 20 January 2006: 22.

economic opportunities and violence against women are frequently treated separately.<sup>9</sup> Proposed indicators and databases on violence against women are primarily aimed at measuring the prevalence of violence and the extent of state responses to prosecute and protect against violence. They do not identify the causal factors for this violence or target specific predictors of violence.

10. Furthermore, legal and policy provisions to address violence against women have not for the most part, extended to the economic sphere or explored the economic causes and impact of violence against women. “When one thinks of women’s human rights issues, one usually thinks about violence against women and not about poverty, housing, unemployment, education, water, food security, trade and other related economic and social rights issues”.<sup>10</sup> The isolation of violence against women and sexual and reproductive rights in the women’s human rights movement from a broader struggle for social and economic equality has led to their perception as women-only problems.<sup>11</sup>

11. The Secretary-General’s (SG) 2006 in-depth study on violence against women (A/61/122/Add.1) has noted the lack of a comprehensive and integrated approach to violence against women.<sup>12</sup> This is evident for example, in the Millennium Development Goals which do not explicitly identify violence against women as a distinct goal. Similarly, the SG’s UNITE campaign launched in 2008 with the aim of stopping gender-based violence by 2015 mentions the structural, underlying causes and consequences of violence. But the campaign fact sheet does not sufficiently explore the linkages between the achievement of women’s rights to political participation, their degree of social and economic equality and the prevalence of violence against women.<sup>13</sup> The Committee on the Elimination of Discrimination against Women on the other hand has recognised the linkages between violence against women such as trafficking, domestic violence and exploitation, and women’s lack of enjoyment of economic and social rights in many of their comments on state reports.<sup>14</sup> In 2009 they expressed concern about the effects of the current international financial and economic crisis upon the full realization of the human rights

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<sup>9</sup> See, for example, UNIFEM. 2005. *The World’s Women: Progress in Statistics*. New York: United Nations.

<sup>10</sup> Programme on Women’s Economic, Social and Cultural Rights, Concept paper, p. 2. Available at: [www.pwescr.org](http://www.pwescr.org).

<sup>11</sup> *Ibid.*

<sup>12</sup> Referred hereafter as the “SG’s in-depth study”.

<sup>13</sup> Available at <http://www.un.org/womenwatch/daw/vaw/launch/english/v.a.w-exE-use.pdf>, p.2.

<sup>14</sup> See also, Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, on trafficking in women, women’s migration and violence against women, submitted in accordance with Commission on Human Rights resolution 1997/44, E/CN.4/2000/68, 29 February 2000.

of women and girls worldwide, including the potential increase in societal and domestic violence against women.<sup>15</sup> However, a systematic gender analysis of the socioeconomic conditions that may produce or increase violence against women has not been made available as of yet.

12. Such analysis of the current economic crisis is critical for developing viable solutions and upholding human rights standards. According to the International Labour Organisation, the impact of the economic crisis is expected to be more detrimental for women's unemployment than for men's in most regions of the world, especially in Latin America and the Caribbean.<sup>16</sup> Migrant women and domestic workers have been among the first to be laid off due to prevailing gender ideologies that consider their labour dispensable as well as their part-time, flexible and vulnerable work conditions.<sup>17</sup> In developing countries women's incomes and family livelihoods will disproportionately suffer due to women's employment concentration in export sectors such as manufacturing and high-value agriculture, the drop in remittances from migrant women's care work and the tightened conditions for micro-finance lending to women farmers and entrepreneurs.<sup>18</sup> The World Bank predicts that up to 53 million more people will be driven to poverty in developing countries this year, bringing the total number of those living on less than \$2 a day to over 1.5 billion. Girls in poor and low income countries with pre-existing low female schooling are highly vulnerable to being pulled out of school and may be led into sex work or trafficking as households cope with declining household income.<sup>19</sup> This will seriously jeopardize the achievement of the Millennium Development Goals which aim to slash poverty, hunger, infant and maternal mortality, and illiteracy by 2015. These worrisome signs are likely to result in serious setbacks to the realization of gender equality and efforts to protect, prevent and ultimately, to eliminate violence against women.

13. By developing a political economy approach to violence against women this report aims to start filling a major gap in thinking and policy. A political economy approach avoids the compartmentalization and selective treatment of violence against women that disconnects the

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<sup>15</sup> See, "CEDAW Committee Concerned by Impact of Financial Crisis on Rights of Women and Girls", Press Release, 6 February 2009. See also, for example, Commission on the Status of Women, 2003 Press Release WOM/1390, New York: United Nations.

<sup>16</sup> International Labour Organisation. 2009. *Global Employment Trends for Women Report*. March, Geneva.

<sup>17</sup> S. Seguino. 2009. "The Global Economic Crisis and its Gender Implications", written statement to the Interactive Expert Panel on Emerging Issues: The Gender Perspectives on the Financial Crisis, held at the Commission on the Status of Women, 53<sup>rd</sup> Session, 2-13 March.

<sup>18</sup> M. Buvinic/World Bank. 2009. "The Global Financial Crisis: Assessing Vulnerability for Women and Children, Identifying Policy Responses", written statement to the Interactive Expert Panel on Emerging Issues: The Gender Perspectives on the Financial Crisis, held at the Commission on the Status of Women, 53<sup>rd</sup> Session, 2-13 March: 4.

<sup>19</sup> Buvinic, "The Global Financial Crisis."



problem from its underlying causes and provides a framework for states and other actors to more fully realise their obligations to protect, prevent and fulfill women's human rights whether in good or bad times.

14. Many UN agencies, governments, non-governmental organizations and experts agree that women's social, political and economic *empowerment* is key to ending violence against women and the culture of impunity. Amnesty International Executive Director, Irene Khan asserts:

“Violence is not only a human rights violation but also a key factor in obstructing the realisation of women's and girl's rights to security, adequate housing, health, food, education and participation. Millions of women find themselves locked in cycles of poverty and violence, cycles which fuel and perpetuate one another.”<sup>20</sup>

15. The 2008 African Development Forum called for attention “to underlying social and economic drivers of women's vulnerabilities and equitable access”. They further stated that “weak economic power, subordinate social status and lack of voice define women's experience across the continent” and that “within this context there are indications that violations against women are increasing.”<sup>21</sup>

16. Numerous similar observations and calls for action from women's advocacy groups, development NGOs, and UN agencies suggest the need to widen the violence against women framework to take account of the structural causes and consequences of violence evident in women's poverty and labour exploitation, their socio-economic inequality with men, and lack of political representation.

17. The recent attention to private sphere violations of human rights provides an opening for a deeper interrogation of the pervasive social and economic inequalities in the family household that create the conditions for abuse of power and various forms of violence. A political economy approach to violence against women challenges public/private and state citizenship boundaries implicit within the mainstream human rights system. This approach has the potential to increase our understanding of how social and economic rights relate to, and can be integrated with, civil and political human rights.

### **Key elements of a political economy approach to violence against women**

18. In contrast to conventional economics, a political economy approach makes explicit the linkages between the economic and the social and political.<sup>22</sup> From a political economy

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<sup>20</sup> Irene Khan, Amnesty International Executive Director, November 25, 2008.

<sup>21</sup> African Development Forum Consensus Statement and Plan of Action, 21 November 2008.

<sup>22</sup> A political economy approach also highlights the considerable economic costs of violence against women to individual women (and their capacities), government, business and society, as well as to future generations. These costs have been quantified as monetary estimates in many country-specific studies and in the SG's in-depth study (See, Section IV, D “Economic Costs of Violence against Women”). They include direct costs to criminal justice, health, employment, and social welfare systems as well as opportunity costs of the failure to prevent violence.

perspective, power operates not only through coercion that may be visible and direct in its effects, but also through the material basis of relationships that govern the distribution and use of resources, benefits, privileges and authority within the home and society at large. Political economy shapes the institutional and ideological formations of society where gender identities and status are constructed and the boundaries of rights and freedoms determined.<sup>23</sup>

19. There are three key structural elements highlighted by the political economy approach that affect the likelihood and prevalence of violence against women. These three structures are explored in more depth in the following sections of this report.

20. The first structure is the gender division of labour within public and private spheres supported by gender ideologies that hold women primarily responsible for unremunerated, and often invisible social reproduction in the family household, thus creating inequalities in bargaining power in the household between men and women. As a result, despite remarkable increases in women's education and employment in the public sphere, especially in developed countries, women still encounter intimate and interpersonal male violence in the private sphere. Caring professions in the public sphere and labour market akin to the unpaid work women traditionally do in the home are also devalued. The internationalization of reproductive work has extended this division of labour to the transnational realm as women workers from developing countries migrate to provide care services for families in wealthier countries.<sup>24</sup> The lack of sharing of reproductive roles between women and men constrains women's public participation and their access to economic opportunities in the market. This structural inequality creates an exploitative hierarchy of roles that entraps many women in potentially violent environments.

21. The second element highlighted in this political economy analysis of women's rights is the contemporary global, macro-economic environment. Capitalist free market competition has fuelled the transnational quest for cheap sources of labour and for investment conditions that maximise corporate profits. In this competition, corporations have exploited and deepened existing gendered inequalities in accessing productive resources such as capital, credit, land and education. For instance, they have employed young women migrant workers in "free trade" export-processing zones to take advantage of their "cheap" and "more flexible" labour, constructed as such by prevailing gender, class and racial ideologies.<sup>25</sup>

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<sup>23</sup> United Nations Population Fund. 2008. *The State of the World Population 2008: Culture, Gender, and Human Rights*. New York, p. 3.

<sup>24</sup> See, R.S. Parrenas. 2001. *Servants of Globalization*. California: Stanford University Press.

<sup>25</sup> See, *Political Economy of Violence against Women in Asia Pacific*, Summary Report of the Asia Pacific NGO Consultation with the United Nations Special Rapporteur on Violence against Women, its causes and consequences, Yakin Erturk, held during 12-13 September 2007, Manila, Philippines.

22. Neoliberal trade, finance and economic stabilisation policies adopted by states have facilitated global competition. These policies have led to the expansion of women's employment, intensification of their labour in the market and at home, and to the oft-noted feminisation of poverty; the latter being especially prevalent among some vulnerable groups of women due to women's lower incomes, their caring responsibilities and their unequal access to productive resources.<sup>26</sup> Such poverty, marginalisation and lack of protective mechanisms render women easy targets for trafficking and other forms of violence and abuse. At the same time, neoliberal policies have reduced the state's capacity to regulate and tax capital, resulting in an enforcement problem and difficulties in generating expenditure for social provisioning which could alleviate women's poverty and vulnerability. Indeed the reduced enforcement and social security role of the state has also been accompanied by communal / "tribalizing" tendencies whereby non-state actors have gained power and influence in public discourse. These actors, often purporting religious fundamentalism, provide alternatives for education, health, housing and social support services for impoverished groups; at the same time they often also resist and undermine the universality of human rights, and in particular, women's rights and claims to equality.<sup>27</sup>

23. However, the current financial crisis presents a crucial opportunity for governments, international institutions and other key actors to invest in social infrastructure and development to revive economic demand. Such investment has the potential to expand women's economic opportunities and advance their rights, especially given women's disproportionate employment in public services and responsibility for social welfare. Studies show that women's economic participation and incomes contribute significantly to overall economic development and societal wellbeing; and their presence in financial and administrative institutions is associated with decreases in corruption.<sup>28</sup> Women tend to elect more conservative economic and financial investment options and receive better returns on their investments than men.<sup>29</sup>

24. The third element of the political economy analysis of violence against women are the gendered dimensions of war/peace, which are intertwined with gender divisions of labour and

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<sup>26</sup> D. Elson. 2002. "Gender Justice, Human Rights, and Neo-liberal Economic Policies", in M. Molyneux and S. Razavi (eds.), *Gender Justice, Development and Rights*. New York, Oxford University Press: 76-114.

<sup>27</sup> This is a complex phenomenon, certain aspects of which were addressed in the Special Rapporteur on Violence Against Women's report on culture: "Intersections between culture and violence against women", A/HRC/4/34, 17 January 2007. See also, AWID's study based on the responses of more than 1600 women's rights activists globally (*Religious Fundamentalisms Exposed: Ten myths revealed about religious fundamentalisms*, AWID, Toronto, 2008).

<sup>28</sup> See Isabel Coleman. 2004. "The Payoff from Women's Rights", in *Foreign Affairs*, 83, 3: 80-95.

<sup>29</sup> B.M. Barber and T. Odean. 2001. "Boys Will be Boys: Gender, Overconfidence, and Common Stock Investment", in *The Quarterly Journal of Economics* 116, 1: 2001: 261-292.

the differential gender impacts of competitive globalization. Violent conflict, often related to control over power and productive resources, normalizes violence and spreads it throughout a society. Such generalized violence further undermines the material conditions for human rights and the prospect for peace. In particular, this state or group-sanctioned violence frequently celebrates masculine aggression and perpetuates impunity toward men's violence against women. For instance, intimate violence against women greatly increases during and after conflict.<sup>30</sup> The Special Rapporteur on Violence against Women's mission reports with respect to countries in conflict and post-conflict zones have shown the intimate link between violence against women, conflict and militarism.<sup>31</sup>

25. Conflict, war and the security agenda impoverish societies as they make trade-offs between military spending and spending for socioeconomic development and human rights protection; thus creating the conditions for severe violence against women.<sup>32</sup> Post-conflict reconstruction may involve neoliberal restructuring of the economy as well as the establishment of liberal political and legal systems, often with limited or no significant participation by women.<sup>33</sup> This restructuring may demand privatisation of public services and infrastructure which regresses women's rights by placing a greater burden on their labour in the household.<sup>34</sup>

26. A political economy approach stresses that we cannot separate political stability and security from economic development, despite the prioritization of physical security and electoral machinery over social and economic security in many post-conflict situations. Insofar as women

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<sup>30</sup> E. Mooney. 2005. "The Concept of Internal Displacement and the Case for Internally Displaced Persons as a Category of Concern", in *Refugee Survey Quarterly* 24, 3; World Bank. 2007. Global Monitoring Report: Promoting Gender Equality and Women's Empowerment, World Bank.

<sup>31</sup> See the country mission reports of the Special Rapporteur on violence against women, its causes and consequences, Yakin Erturk, on El Salvador (E/CN.4/2005/72/Add.2), Guatemala (E/CN.4/2005/72/Add.3), Occupied Palestinian Territories (E/CN.4/2005/72/Add.4), Afghanistan (E/CN.4/2006/61/Add.5) and Democratic Republic of Congo A/HRC/7/ 6/Add.4. See also, the Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 2000/45, E/CN.4/2001/73, 23 January 2001.

<sup>32</sup> R. Balakrishnan, *Why MES with human rights? Integrating macroeconomic strategies with human rights*. Marymount Manhattan College: 34.

<sup>33</sup> Klein calls this the "disaster capitalism". See, N. Klein. 2007. *The Shock Doctrine: The Rise of Disaster Capitalism*. New York: Metropolitan Books.

<sup>34</sup> S. Seguino. 2008. "The Road to Gender Equality: Global Trends and the Way Forward", in G. Berik, Y. Rodgers and A. Zammit (eds). *Social Justice and Gender Equality: Rethinking Development Strategies and Macroeconomic Policies*. New York: Routledge: 44-69.

are unable to access their rights and basic services (to housing, food, health, education and so on) their vulnerability to violence increases. The culture of impunity toward violence against women that is often endemic during conflict situations may be perpetuated in peace time since women's access to economic and social rights also affects their access to justice and physical security.<sup>35</sup>

### **Integrating economic and social rights with civil and political rights**

27. Efforts to transform the political-economic conditions that underlie violence against women and to effectively respond to the problem are greatly constrained by the dichotomization of the set of rights in the twin covenants, and the privileging of civil and political rights over economic and social rights.<sup>36</sup> The prevailing conception of economic, social and cultural rights as “aspirational” rights to be progressively realised depending on the resources available to the state, stands in contrast with civil and political rights which have been traditionally conceived as “obligatory” rights to be guaranteed in the immediate. It is a prioritization that has contributed to the continued subordination of women, and women's human rights.

28. However, it is also argued that in fact both covenants assume ‘progressive realisation, that is, the continuous improvement of rights.’<sup>37</sup> They both impose positive duties on governments to eliminate discrimination and hold governments legally responsible for ending violations immediately as far as possible.<sup>38</sup> “All human rights have an economic and material aspect”,<sup>39</sup> therefore, insufficient resources cannot be a defense against non-compliance with the Covenant on Economic, Social and Cultural Rights.<sup>40</sup> These rights too have minimal standards of compliance. States cannot for example, introduce macro-economic reforms or trade liberalisation policies that would undermine its compliance with obligations under the ICESCR.<sup>41</sup>

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<sup>35</sup> Committee on the Elimination of All Forms of Discrimination against Women Concluding comments on the Philippines report, with reference to women in the Mindanao province's limited access to justice 25 August 2006, CEDAW/C/PHI/5-6: 29.

<sup>36</sup> In light of the theme of this paper, the focus is on economic and social, rather than cultural rights.

<sup>37</sup> D. Elson, “Gender Justice, Human Rights, and Neo-liberal Economic Policies”: 80.

<sup>38</sup> L.S. Rubenstein. 2004. “How International Human Rights Organizations Can Advance Economic, Social and Cultural Rights: A Response to Kenneth Roth”, in *Human Rights Quarterly* 26, 4: 845-65.

<sup>39</sup> M. Nussbaum. 2005. “Women's Bodies: Violence, Security, Capabilities”, in *Journal of Human Development* 6, 2: 167-183.

<sup>40</sup> C. Chinkin. 2008. “The Protection of Economic, Social and Cultural Rights Post-Conflict”, prepared for the Women's Rights and Gender Unit, OHCHR, Geneva, p.19.

<sup>41</sup> Chinkin, p. 41.

29. Despite these human rights obligations, states have traditionally focused more on reforming judicial and governance structures to address human rights violations and less on preventive initiatives that may require fundamental alterations in economic and social structures. Yet, upholding economic and social rights in particular imposes “an affirmative obligation on states to meet basic needs” and this requires the implementation of practical strategies and methods to ensure that this outcome is achieved.<sup>42</sup> Advancing women’s economic and social rights in the context of global change and crisis situations is crucial not only to women’s enjoyment of civil and political rights, but also for preventing violence against women and protecting women and girls from the risks of violence and exploitation. Thus, a political economy approach to women’s rights compels us to rethink the dichotomisation of rights and search for ways to conceptually and practically realise the universal, indivisibility of human rights.

### **Economic rationales for eliminating violence against women**

30. A political economy approach analyses the affect of economic and social inequalities on women’s enjoyment of their rights but it also highlights the economic costs of violence against women. These economic costs include direct costs as well as opportunity-costs of the failure to prevent violence to individual women (and their capacities), to government, business and society, and to future generations.

31. In terms of the costs to individual women, gender-based violence in public and private spheres prevents women from being able to access economic opportunities, livelihoods and welfare benefits. Studies have shown that women who are victims of domestic violence typically earn less income across their lifetime than women who have not been victims of violence. For instance, one such study in Managua, Nicaragua, found that women victims of domestic violence earned just 57 per cent of the income of their unaffected colleagues.<sup>43</sup> A Bolivian rural women’s organisation found that it could not equally distribute agricultural land for farming to women and men unless they addressed the problem of domestic violence as part of their development work - the absences of women participants due to injuries suffered from domestic violence were too frequent.<sup>44</sup>

32. The economic costs of violence against women to business and government are considerable. Health care, employment, productivity, and criminal justice costs have now been calculated in many states, in order to raise awareness of the problem of violence and the need for

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<sup>42</sup> Rubenstein, “How International Human Rights Organizations Can Advance Economic, Social and Cultural Rights”.

<sup>43</sup> Una Hombrecher et al. 2007. *Overcoming Domestic Violence: A Global Challenge, Experiences and Recommendations from an International Project*. Social Service Agency of the Protestant Church in Germany and Bread for the World, p. 40.

<sup>44</sup> *Ibid.*

all organisations to collectively address it. For instance, the Australian government has estimated that violence against women costs government 14.2 billion dollars per annum. In another study, it was assessed that the cost of violence against women in the United Kingdom is equivalent to more than 550 euros per resident annually.<sup>45</sup> In Fiji, the cost of domestic violence has been calculated at \$300 million per annum or about 7 per cent of Gross National Product.<sup>46</sup> Estimates of lost wages due to family violence amounted to 1.6 and 2.0% of Gross Domestic Product in Nicaragua and Chile respectively.<sup>47</sup> In the United States, preventive measures in the Violence against Women Act are considered to have saved the country 16.4 billion dollars.<sup>48</sup> In 2003, the Columbian national government spent approx US\$73.7 mil (0.6% of their national budget) to prevent, detect and offer services to survivors of family violence.

33. It is considerably more difficult to quantify the costs of violence against women to a society and its development as well as to future generations. However, many studies have documented the impact of this violence on the children of women victims. Researchers in Nicaragua found that children of women who were physically and sexually abused by their partners were six times more likely than other children to die before the age of five, with one third of all child deaths in this setting being attributed to partner violence.<sup>49</sup> Violence against women hinders mothers from being able to take care of their families, trapping generations in a cycle of poverty. Wife abuse has been linked to decreased nutritional status in children due to women's decreased chances of controlling income.<sup>50</sup> This creates a range of challenges for the

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<sup>45</sup> Sylvia Walby and Jonathan Allen. 2004. *Domestic Violence, Sexual Assault and Stalking: Findings from the British Crime Survey*. Home Office Research Study 276. (London: Home Office).

<sup>46</sup> Fiji Law Reform Commission. 2004. FLRC media release. Suva: Fiji Law Reform Commission cited in UNIFEM briefing paper on Violence against Women in Fiji.

<sup>47</sup> A.R. Morrison and M.B. Orlando. 1999. "Social and Economic Costs of Domestic Violence: Chile and Nicaragua." Ch. 3 in: Morrison, A., and L. Biehl eds. 1999, *Too Close to Home: Domestic Violence in Latin America*. Washington, D.C.: Inter-American Development Bank: 13.

<sup>48</sup> K.A. Clark, A.K. Biddle and S.L. Martin. 2002. "A Cost-Benefit Analysis of the Violence against Women Act of 1994", in *Violence against Women*, 8, 4: 417 - 28.

<sup>49</sup> Sarah Bott, Andrew Morrison, and Mary Ellsberg, "Preventing and Responding to Gender-Based Violence in Middle and Low-Income Countries: a Global Review and Analysis", in *World Bank Policy Research Working Paper*, 2005.

<sup>50</sup> V. Rao and M. Bloch. 1993. "Wife-beating, Its Causes and Its Implications for Nutrition Allocation to Children: An Economic and Anthropological Case study of a Rural South-Indian Community". Ann Arbor: University of Michigan, Population Studies Center, Research Report, No. 93-298.

health and education of future generations.<sup>51</sup> Similarly, the health of women who have suffered violence and HIV has a negative effect on their children as well as their economic activity; thus creating a cycle of poverty, poor health and vulnerability to more violence.<sup>52</sup> There is sound evidence that women who are economically independent and have some decision-making authority in the family will spend their income on food, healthcare, and education for their children.<sup>53</sup>

34. Violence against women needs to be systematically challenged on all levels if women's human rights are to be realised and women's economic and social status is to advance. Human rights commitments need to be combined with more instrumental economic rationales so as to focus attention on transforming the structural causes and consequences of violence against women. A human rights focus provides a powerful normative framework for holding states accountable and for empowering women as active claimants of rights.<sup>54</sup>

## **II. THE IMPACT OF GLOBAL CHANGE AND CRISES ON VIOLENCE AGAINST WOMEN**

35. Patterns of violence against women, their causes and consequences are integrally linked to patterns of global transformation instigated by economic, political, military and natural environmental forces. This section aims to identify and address those linkages by focusing on strategic sites where political-economic processes can be seen to be maintaining or creating the structural gender inequalities that underpin violence against women. It points to the role and responsibility of states, corporations, international institutions and civil society actors in mitigating violence against women by attending to the underlying structural inequalities between women and men that are created and reinforced by macro-economic and state-building processes.

### **Violence against women: the underside of global processes**

36. Globalization has brought about a significant movement in the geographical location, occupation, and social position of women. It has expanded women's formal economic participation, while leaving unchanged the underlying patriarchal structures that perpetuate women's inequality with men, and their susceptibility to violence. Women's labour has become part of the competitive dynamic of globalization, yet a large number of women workers in the

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<sup>51</sup> In Managua, Nicaragua 63 per cent of children from families where women had suffered domestic violence had to repeat at least one school year; on average leave school four years earlier than classmates not experience domestic violence. See, Hombrecher et al., "Overcoming Domestic Violence", p. 42.

<sup>52</sup> Remenyi, "Chapter 1", in *The Multiple Faces of the Intersections between HIV and Violence against Women: Development Connections*, p. 13.

<sup>53</sup> Amaryta Sen., 1999. *Development as Freedom*, New York. Oxford University Press.

<sup>54</sup> Elson 2002: 87.



informal economy, care sector and in unpaid work often fall outside of recognized labour standards and the human rights system. These women are highly vulnerable to new forms of gender-based violence associated with the displacement of populations, sex trafficking, home-based production, restrictive immigration and exploitation of local and migrant workers especially around special economic zones and large developments.

37. Structural adjustment policies imposed by international institutions have disproportionately affected women and “have led to increased impoverishment, displacement and internal strife resulting from the political instabilities caused by devaluing national currencies, increasing debt and dependence on foreign investment”.<sup>55</sup> Conflict, war and natural disaster have further impoverished societies as they make trade-offs between military spending and spending for social and economic development, creating conditions for severe violence against women.<sup>56</sup> Moreover, post-conflict and disaster reconstruction processes often maintain the culture of impunity toward violence against women and introduce new forms of gender discrimination in economic and political institutions that fuel violence against women and girls.

#### **A. Competitive globalization**

38. One of the ways we see economic globalization processes increasing or perpetuating violence against women is through men’s reactions to these processes and the loss of male entitlement they often bring about. Global competition seeks to lower the costs of production and to the extent that women’s labour is cheaper (because of the devaluation of women in the private sphere), firms may prefer to hire women over men especially in competitive, export-oriented industries. Thus, where neoliberal reforms and restructuring open up economies to global competition there may be more opportunities for women to enter the labour market and gain economic independence. In this context, some studies suggest that violence against women may actually rise as women assume non-traditional roles and gain greater access to these socio-economic opportunities and resources; this is despite the association between women’s employment and empowerment in indicators like the gender development index.<sup>57</sup> Women’s increasing economic activity and independence may be viewed as a threat which leads to increased male violence. This is particularly true when the male partner is unemployed, and feels his power undermined in the household.<sup>58</sup>

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<sup>55</sup> Report of SRVAW, Radhika Commaraswamy, on trafficking in women, migration and VAW submitted in accordance with Commission on HR resolution 1997/44. UN Doc. E/CN.4/2000/68, 2 February 2000, para. 59.

<sup>56</sup> Balakrishnan, “Why Macroeconomic strategies with human rights?”, p. 34.

<sup>57</sup> R. Jewkes. 2002. “Intimate Partner Violence: Causes and Prevention”, in *The Lancet* 359: 1423-1429; L. Heise and C. Garcia-Moreno. 2002. “Violence by Intimate Partners”, in E. Keug et al., Eds. *World Report on Violence and Health*. World Health Organization: Geneva, p. 99.

<sup>58</sup> UNICEF (2000). “Domestic Violence against Women and Girls”, in *Innocenti Digest*, 6, Florence: UNICEF Innocenti Research Centre.

39. Masculine identities that have been constructed as breadwinner identities, assuming control over income and resources as well as women, are threatened by women's newly valued economic roles.<sup>59</sup> Where globalization processes undermine these masculine identities we have seen increased levels of violence. In the context of neoliberal restructuring and economic crises, men may be unable to find alternative employment which fulfils their visions of themselves as breadwinners. This may lead them to act out violently against women and children in the home and in public spaces compensating for the loss of economic control. Research evidence also shows that a reduction in male incomes challenges norms of masculinity and exacerbates tensions between men and women.<sup>60</sup> It has been argued, for example, that in Latin America and the Caribbean, the severely inequitable distribution of wealth is one of the chief factors fuelling a rise in the rates of domestic violence, which is also one of the highest rates in the world.<sup>61</sup> Yet, because conventional economic analysis and human rights law do not consider power dynamics in the household "the relationship between high returns to business and poverty and violence [against women] at the household level remains invisible".<sup>62</sup>

40. In South Africa where there is a history of state-sponsored violence and the contemporary context includes significant levels of poverty, unemployment and crime, several forms of violence against women, including rape, are prevalent. In one epidemiological study, it has been argued that rape plays a crucial role in male peer group positioning and that it must be understood within the context of the limited number of other recreational opportunities available to poor, township and rural youth. "Competition over women has achieved overwhelming importance because it is one of the few available and affordable opportunities for entertainment

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<sup>59</sup> United Nations Development Fund for Women discusses the relationship between masculinity and gender-based violence at; <http://www.unifem-eseasia.org/resources/factsheets/Gendis5.htm>.

<sup>60</sup> Surveys during project work in Asia and Africa reveal that the economic success of married women was sometimes accompanied by an increase in intra-family violence. S. Seguino 2008, "The Road to Gender Equality": 48; on family dissolution in Costa Rica see Sylvia Chant. 2001. "Men in crisis? Reflections on masculinities, work and family in Northwest Costa Rica" in Cecile Jackson ed. *Men at Work: Labour, Masculinities, Development*. London: Frank Cass; S.R. Schuler, S.M. Hashemi, S.H. Badal. 1998. "Men's Violence against Women in Bangladesh: Undermined or Exacerbated by Microcredit Programmes?", in *Development in Practice*, 8, 2: 148-157.

<sup>61</sup> S. Larrain. 1999. "Curbing Domestic Violence: Two decades of action", in A. Morrison and M. Loreto Biehl eds, *Too Close to Home: Domestic Violence in the Americas*. Inter American Development Bank: Washington D.C.

<sup>62</sup> C. Sweetman. 2008. "Feminist Economics", in *From Poverty to Power: How Active Citizens and Effective States Can Change the World*: Oxfam International: 2.

and arenas where success may be achieved and self-esteem gained”.<sup>63</sup> Given the context of poverty, relationships and the input of resources they require may not be realistic options, and rape and violence may be more readily deployed to seek goals.

41. A recent study of fifteen men and their female partners recruited via two agencies that provide programs for victims and perpetrators of intimate violence, also reveals the intersection between men’s economic disempowerment and domestic violence against women.<sup>64</sup> The study investigated how in a globalising South Africa where there are more economic opportunities for women and rising male unemployment, men attempt to maintain their hold on dominant forms of masculinity through the perpetration of violence. Interviews with men revealed that their ideas of “successful masculinity” were linked to their ability to become or remain economic providers for the family. Men facing chronic unemployment described feeling powerless and employed this feeling as a justification for violence against women.<sup>65</sup>

42. In a different context, that of globalising Kuwait, some men also appear to be reacting against liberalization through women. Studies examining the protest of Islamic fundamentalists against political, economic and cultural liberalization, have found that their resistance to economic restructuring is expressed through the prevalence of violence against women, which draws on traditional patriarchal discourses and objectifies women as symbols of liberalisation.<sup>66</sup> “[W]omen are implicated...not only because they are themselves objects of value and symbols of communal identity, but also because their emancipation introduces a new class of competitors for political and economic positions”.<sup>67</sup> In the struggle between tradition and economic liberalization women are subject to men’s violence in their quest to maintain their dominant masculine identity and place.

## **B. Free trade zones**

43. Trade liberalization has facilitated the globalization of export-oriented, labour-intensive industries. The creation of free trade zones exacerbates gendered inequalities and creates unregulated environments in which violence against women thrives. These industries, set up in “free trade” or special economic zones exempt from many government regulations, have largely employed women’s labour; often young, migrant women from rural areas hired on temporary

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<sup>63</sup> R. Jewkes and N. Abrahams. 2002. “The epidemiology of rape and sexual coercion in South Africa: an overview”, in *Social Science & Medicine* 55: 1231-1244.

<sup>64</sup> F. Boonzaier. 2005. “Woman Abuse in South Africa: A Brief Contextual Analysis”, in *Feminism and Psychology*, 15, 1: 99-103.

<sup>65</sup> *Ibid*, p. 100.

<sup>66</sup> M-A. Tetrault. 2003. “Kuwait: Sex, Violence and the Politics of Economic Restructuring”, in *Women and globalization in the Arab Middle East: gender, economy and society*, Boulder: Lynne Rienner Publishers, p. 234.

<sup>67</sup> *Ibid.*, p. 236.

contract at lower wages than men with minimal benefits. Violence against women workers, including abuse of reproductive rights, sexual harassment, rape and femicide, has been prevalent in many of these free trade zones in developing countries.<sup>68</sup>

44. The cases of femicide in Ciudad Juarez on the US-Mexico border where “Maquiladora” factories are located, are an example of the destabilizing effects of neoliberal globalization. For instance, it is estimated that many of the more than 400 young women who have been murdered or disappeared in Ciudad Juarez since 1993 were employed in these factories.<sup>69</sup> Thousands of young rural women came to Mexico’s tax-free border cities when the 1992 NAFTA agreement liberalized trade with the United States and the Mexican government created these zones to attract foreign investment. It is argued that they were treated as dispensable workers and constructed as “cheap labour” (relative to men), leading to high male unemployment in the border cities and towns.<sup>70</sup>

45. Studies show that the influx of these young women workers resulted in lower wages for all, which combined with male unemployment lead to the development of resentment toward young women workers. In this context, it has been argued that multinational firms and the states concerned failed to protect these women from targeted, violent abuse.<sup>71</sup> It is further argued that just as women are emerging as new, consequential political and economic actors their citizen and human rights to personal security were dispensed with.<sup>72</sup>

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<sup>68</sup> See, the Special Rapporteur on violence against women, its causes and consequences, Yakin Erturk, reports on El Salvador (E/CN.4/2005/72/Add.2), Guatemala (E/CN.4/2005/72/Add.3), Mexico. (E/CN.4/2006/61/Add.4).

<sup>69</sup> The femicide in Ciudad Juarez still continues today. According to amnesty international over 370 women have been found murdered between 1993-2005. See, <http://www.mexicosolidarity.org/specialreports/2004femicides>). See also, P.H. Albuquerque and P.R. Vemala. 2008. “A Statistical Evaluation of Femicide Rates in Mexican Cities along the US-Mexico Border”, in Canadian Law and Economics Association (CLEA), 2008 Meetings, October 5.

<sup>70</sup> J. Livingstone. 2004. “Murder in Juarez”, in *Frontiers* 25, 1: 60.

<sup>71</sup> A.S. Camacho. 2005. “Ciudadana X, Gender Violence and the Denationalization of Women’s Rights in Ciudad Juarez, Mexico”, in *The New Centennial Review*, 5, 1, p. 259. See also, D. Weissman 2004-2005. “The Political Economy of Violence: Toward an Understanding of the Gender-Based Murders of Ciudad Juarez”, in *North Carolina Journal of International Law & Commercial Regulation*, 30, Summer (2004-2005): 796-867; also K. Staudt, 2009. *Violence and Activism at The Border: Gender, Fear, And Everyday Life In Ciudad Juarez*. Austin: University of Texas Press.

<sup>72</sup> *Ibid.*, p. 267.

46. The femicides in Ciudad Juarez were the subject of the Commission's first inquiry under the optional protocol of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) undertaken by the CEDAW Committee.<sup>73</sup> The report of the Committee revealed the inherent vulnerability to violence of women in the border city: "they were young, come from other parts of Mexico, living in poverty, working in *maquilas* where protection for their personal security was poor, subject to deception and force" (paras. 63-64). The Committee observed that the women did not enjoy their basic social and economic rights including the right to decent work, education, health care, housing, sanitation infrastructure and lighting (para. 289). The panel recommended ensuring compliance with the human rights provisions of CEDAW (para. 290).<sup>74</sup>

47. Trade liberalisation has heightened various forms of violence against women workers in other poor, developing countries. In Lesotho the rapid growth of the garment industry due to liberalization increased the employment opportunities for young women. Women took up these opportunities and often also the breadwinner role due to men's retrenchment from unskilled mine work in South Africa. Women workers who were also mothers faced greater risk of maternal and child, perinatal mortality because their long and inflexible work hours made it difficult to care for themselves during pregnancy as well as for their babies by attending medical clinics, recuperating from birth, breastfeeding and so on.<sup>75</sup>

48. The liberalisation of industries may also involve importing foreign male workers. If the local economic context is impoverished, their presence may encourage the development of prostitution and sex trafficking as well as gender-based violence. For example, it is argued that liberalisation of the fisheries industry in the Pacific has encouraged the development of prostitution and sex trafficking on shore, and gender-based violence, which has been shown to rise during an economic recession or crisis such as the loss of markets.<sup>76</sup> A case study of Padang province in Papua New Guinea has linked the development of canneries by multinational firms to an increase in the sex-trade, child prostitution and HIV/AIDS. Moreover, many women working in fisheries processing plants in PNG and Fiji are unmarried and face problems of

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<sup>73</sup> See Report on Mexico produced by the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention, and reply from the Government of Mexico. CEDAW/C/2005/OP.8/MEXICO; also see, Special Rapporteur on violence against women, Yakin Erturk, mission report on Mexico, (E/CN.4/2006/61/Add.4).

<sup>74</sup> Chinkin, "The Protection of Economic, Social and Cultural Rights Post-Conflict": 37.

<sup>75</sup> Cited in Sweetman, "Feminist Economics", 2008 from a study by N. Sekhamane, 2004, Impact of Urban Livelihoods on Women's Care-giving Behaviours, Household Food Security and Nutrition of Children in Lesotho: A Community Case Study, MA dissertation, University of Kwazulu, Natal.

<sup>76</sup> The presence of multinational companies in the fisheries and forestry industries in the Pacific Islands that import foreign male workers has been linked to the sex-trade, child prostitution and HIV/AIDS. See, Pacific Islands Forum Secretariat. 2008. Gender Issues in Tuna Fisheries: Case Studies in Papua New Guinea, Fiji, and Kiribati. Fishtech Consultants. Suva: SPC.

security and harassment, especially when they either live at cannery hostels or travel to and from their shifts in darkness.<sup>77</sup> In the Solomon Islands, local government officials have accused foreign logging companies not only of exploiting their natural forestry resources but of exploiting teenage girls. Loggers from Asian countries working for multinational companies are said to employ these girls to work as domestic live-in servants, subjecting them to sexual abuse and leaving them pregnant when they return home.<sup>78</sup>

### C. Transitions to market economies

49. The destabilization of economic patterns in society by macro-economic policies, including structural adjustment policies that facilitate a states' global integration, is associated with growing inequalities and increasing levels of violence against women in several regions, including Latin America, Africa and Asia.<sup>79</sup> The market transitions in Central and Eastern Europe and the former Soviet Union led to widespread increases in poverty, unemployment, hardship, income inequality, stress and violence against women. These factors also indirectly raised women's vulnerability by encouraging more risk-taking behaviour, more alcohol and drug abuse, the breakdown of social support networks, and the economic dependence of women on their partners.<sup>80</sup>

50. Some have viewed Eastern Europe and Central Asia as "test regions" for judging the impact of neoliberal policies.<sup>81</sup> Rather than revealing positive impacts of market reform, almost all the countries in these regions have exhibited regressions in women's economic and social

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<sup>77</sup> Pacific Network on Globalization (PANG). (2008). Social Impact Assessment of the Economic Partnership Agreement (EPA) being negotiated between the European Community and Pacific ACP States, Report to the Pacific Islands Forum Secretariat (PIFS).

<sup>78</sup> "Solomon official accuses foreign logging companies of exploitation." Radio Australia, September 19, 2008.

<sup>79</sup> UNICEF 1989. "The invisible adjustment: Poor women and economic crisis", UNICEF, The Americas and Caribbean Regional Office, Santiago. 'La situation de la femme malienne: cadre de vie, problèmes, promotion' op. cit. V. Mazumdar et al. 1995; Changing Terms of Political Discourse: The Women's Movement in India, 1970s-1990s, in *Economic and Political Weekly*, vol. XXX: 29, pp 1866-1878.

<sup>80</sup> UNICEF (1999) Women in Transition, Regional Monitoring Report, No. 6. Florence: UNICEF International Child Development Centre, p. 7; also see, Jacqui True, *Gender, Globalization and Post socialism*. New York: Columbia University Press, 2003; [http://www.stopvaw.org/Economic\\_Factors.html](http://www.stopvaw.org/Economic_Factors.html), see trafficking in Eastern Europe and lack of economic opportunity and independence.

<sup>81</sup> Elson. "Gender Justice, Human Rights and Neoliberal Economic Policies."

status.<sup>82</sup> The biggest regression in the economic status of women has been in Eastern Europe according to Social Watch's 2008 Gender Equity Index. As well as increases in rape and domestic violence, this region has seen hundreds of thousands of young women trafficked for prostitution and other indentured labour each year due to the consequences emanating from economic liberalization.

51. Women are often the hardest hit by economic transition, financial crises and rising unemployment. "Economic and political insecurity provoke private and public backlash against women's rights that may be expressed through violence and articulated in the form of defending cultures and traditions".<sup>83</sup> Widespread discrimination against girls and women in education, employment and business, and the lack of a state social safety net can mean they are not protected from violence when economies rapidly expand and contract. Economic liberalisation and export-oriented development in East Asia has had detrimental impacts on women and girls due to patriarchal family-firm structures and the lesser value attributed to women's paid and unpaid labour. There is considerable evidence that economic growth in East Asian countries was accelerated by increasing women's employment, while at the same time widening gender wage gaps in the labour market.<sup>84</sup>

52. When the Asian Financial Crisis hit in 1997-1998, the impact on women and girls was disproportionate. Girls were removed from school to help at home or they were forced to seek work in the sex sector to support household incomes as a result of cutbacks in public service jobs and salaries.<sup>85</sup> In some East Asian countries women's paid labour intensified while in others, their labour participation shrunk. The resulting increased financial burdens strained

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<sup>82</sup> See Special Rapporteur on violence against women, Yakin Erturk mission reports on the Russian Federation (E/CN.4/2006/61/Add.2), Moldova (A/HRC/11/6/Add.4), and Tajikistan (A/HRC/11/6/Add.2).

<sup>83</sup> "Montreal Principles on Women's Economic, Social and Cultural Rights", in *Human Rights Quarterly* 26, 3 (August 2004): 3.

<sup>84</sup> Seguino, 'The Road to Gender Equality', 2008; 2000; N. D. Gupta. 2002. "Gender, pay and development: A cross-country analysis", in *Labour and Management in Development Journal* 3, 2: 1-19; G. Berik. 2004. "Mature export-led growth and gender wage inequality in Taiwan", in *Feminist Economics* 6, 3: 1-26; Ebru Kongar. 2008. "Importing equality or exporting jobs? Competition and gender wage and employment differentials in US manufacturing", in I. Van Staveren, D. Elson, C. Grown and N. Cagatay eds. *Feminist Economics of Trade*. London: Routledge.

<sup>85</sup> T-D. Truong. 2001. "A Feminist Perspective on the Asian Miracle and Crisis: Enlarging the Conceptual Map of Human Development", in *Journal of Human Development* 1, 1: 159-164; B. Young, "Financial Crises and Social Reproduction: Asia, Argentina and Brazil", in *Power, Production and Reproduction* edited by I. Bakker and S. Gill. New York: Palgrave, pp. 103-123; C. Hoskyns and S.M. Rai. 200. "Recasting the Global Political Economy: Counting Women's Unpaid Work", in *New Political Economy* 12, 3: 297-317.

intra-household relationships, boosted suicides, family violence and abandonment.<sup>86</sup> In the context of the current financial and economic crisis, such trends from past crisis could provide important lessons and point to more effective mitigation measures, policy reforms and solutions.

#### **D. Migrant women workers**

53. Economic globalization has increased the demand for women's cheap labour, especially in the growing service sector. The employment and/or use of foreign-born women extends across an increasingly broad range of economic sectors, from prostitution and sex work, to domestic service and childcare, and including highly regulated occupations such as nursing.<sup>87</sup> Neoliberal structural reforms and the failure of development policies have created unemployment, reduced social services and increased poverty, requiring more women to become income-earners for their families. Migration has been one option for women to receive an income and provide economic security for their families and communities. Women are often chosen by their families to migrate based on the expectation that they will sacrifice themselves to a greater degree than men for the welfare of their families - i.e., work harder, remit a higher proportion of their earnings, spend less on themselves, and endure worse living conditions.<sup>88</sup> At the same time, the expansion of women's labour market participation in developed countries and the reduction of state welfare provisions have fuelled a growing demand for workers in domestic and social services, especially caregivers of children, the elderly, sick and invalid persons.

54. Remittances from international migration in 2005 totaled US\$251 billion and have had a significant impact on diminishing poverty in developing countries,<sup>89</sup> although these remittances have been falling since the onset of the financial crisis with households cutting back on services. The outcome is a significant feminizing of global survival - not just of the women themselves, but of their households and governments, particularly due to the impoverishment and indebtedness of economies in the global South.

55. Migration reinforces and deepens existing gender, race and class inequalities. It is a gendered process, inseparable from the devaluation of a broad range of jobs associated with "women's work", now carried out by a growing, mostly foreign female "serving class"

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<sup>86</sup> M. Floro and G. Dymski. 2000. "Financial Crisis, Gender, and Power: An Analytical Framework", in *World Development* 28, 7: 1369-1283.

<sup>87</sup> S. Sassen. 2008. "Strategic instantiations of gendering in the global economy: the feminizing of survival." Unpublished paper prepared for the Expert Consultation on Political Economy and Women's Rights, convened by the Special Rapporteur of the United Nations Human Rights Council on Violence against Women, its Causes and Consequences Istanbul, 8-9 May 2008.

<sup>88</sup> INSTRAW. 2007. "Gender, Remittances and Development: The Feminization of Migration", Working Paper 1; also see, Kofman, Eleonore, & Raghuram, Parvati. 2007. "The Implications of Migration for Gender and Care Regimes in the South." Stockholm: UNRISD.

<sup>89</sup> United Nations Population Fund. 2006. *The State of the World's Population: The Good, The Bad, The Promising: Migration in the 21st Century*. New York: UNFPA, p. 62.



especially in global cities and wealthy countries.<sup>90</sup> Neoliberal economic policies have increased the number of women migrating for work, the type of work they inevitably do and their situation of vulnerability to violence in this employment position. In 2005 women were nearly half of all economic migrants (95 out of 191 million) and they dominate in migration streams to developed countries. As well as financially supporting their families, the pressures for women to migrate may include escaping from an unhappy marriage or a violent husband, or the social pressure to marry in patriarchal societies.<sup>91</sup>

56. Violence may become part of the employment relationship due to the highly unequal power relations at work based on the combined oppressions of gender, class, nationality and ethnicity.<sup>92</sup> Migrant women workers are frequently exploited in poorly paid and often unregulated employment as nurses, maids, nannies and sex workers. They are inherently vulnerable to violence working in poor conditions with low social status, living in degrading housing situations, and lacking basic legal protections and opportunities for redress. Domestic workers do not enjoy the basic labour protections that most governments guarantee for other workers. They are typically excluded from standard labour laws such as minimum wage, regular payment of wages, a weekly day off and paid leave. Employers evade domestic labour laws and governments rarely monitor their observance in the domestic sphere.<sup>93</sup> Labour-sending countries often have an economic incentive to ignore their breach as they benefit from the high levels of remittances and may not wish to jeopardise their relations with relevant host countries.

57. A study of foreign female domestic servants in Malaysia describes how the government's export-led industrialization strategy is based on a system of social reproduction that brings women from Indonesia and Philippines at minimal cost to work in the household/domestic sector; thus freeing up middle class Malaysian women to work in the export sector.<sup>94</sup> The study recounts stories of violence and abuse of these women workers perpetrated by both male and female employers. It also reveals how female domestic workers are subject to public scrutiny and

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<sup>90</sup> Sassen, "Strategic instantiations of gendering in the global economy", p. 1.

<sup>91</sup> See, Bernhard et al's study of Latin American women migrants to Canada, which accidentally found that in one in three cases the need to escape from violent husbands triggered the woman's decision to migrate. J. Bernhard, P. Landolt and L. Goldring. 2006. "Transnational, Multi-local Motherhood: Experiences of Separation and Reunification among Latin American Families in Canada", in *CERIS, Policy Matters*, No. 24, January 2006.

<sup>92</sup> N. Piper. 2003. "Feminization of Labor Migration as Violence against Women: International, Regional, and Local Nongovernmental Organization Responses in Asia", in *Violence against Women*, 9, 6: 724.

<sup>93</sup> N. Varia. 2007. "Globalization Comes Home: Protecting Migrant Domestic Workers' Rights", in *Human Rights Watch World Report 2007*, p. 1.

<sup>94</sup> C. Chin, 1998. *In Service and Servitude: Foreign Female Domestic Servants in Malaysia*. New York: Columbia University Press.

often derision in the popular media. The poor treatment of domestic workers has to do with their location in the private sphere, where as non-family members they provoke fears and where the normative assumption that a man is king in his own household reigns.<sup>95</sup>

58. It has been argued that international institutions, employers, business, and national governments can be viewed as complicit in the human rights abuse and violence against migrant women given that domestic workers are not afforded the same basic labour protections guaranteed to other workers.<sup>96</sup> Structural inequalities in global trade regimes allow freedom of movement for investors and professionals typically from developed countries but limit the movement and rights of low-skilled workers usually from developing countries. Very few countries have ratified the international conventions that extend citizenship and labour rights to migrant workers. Just twenty-three per cent of states have ratified the 1949 ILO Convention on Migration for Employment, only ten per cent have ratified the 1975 ILO Convention Concerning Migration in Abusive Conditions and the Promotion of Equality of Opportunity and the Treatment of Migrant Workers, and a mere seventeen per cent of states have signed the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.<sup>97</sup> There are direct linkages between violence against migrant women workers and the failure of states to protect women's economic and social rights by monitoring labour standards and ensuring access to adequate housing, education, and alternative employment opportunities.<sup>98</sup>

59. Migrant women working in the sex sector and women and children trafficked for sexual exploitation face extreme vulnerabilities. Trafficking is the dark underside of migration and inseparable from processes of globalization and trade liberalisation.<sup>99</sup> Trafficking needs to be discussed as an economic issue, relating to economic restructuring and economic and social rights, as well as an issue of violence against women, as it is discussed in Beijing Platform for

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<sup>95</sup> J. Elias. 2008. "Struggles over the rights of foreign domestic workers in Malaysia: the possibilities and limitation of 'rights talk'", in *Economy and Society* 37, 2: 282-303.

<sup>96</sup> R. Iredale and N. Piper. 2003. "Identification of the Obstacles to the Signing and Ratification of the UN Convention on the Protection of the Rights of All Migrant Workers: The Asia-Pacific Perspective". UNESCO.

<sup>97</sup> United Nations. 2006. *International Migration and Development: Report of the Secretary-General* (A/60/871). Only three countries in the Asia-Pacific region have ratified the ICMR and globally no western receiving countries have ratified it (Iredale and Piper, "Identification of the Obstacles," 2003).

<sup>98</sup> See the recommendations and best practice measures undertaken by states to address violence against migrant women workers in 2007. *Violence against women migrant workers: Report of the Secretary-General*, Sixty-Second Session, A/62/177.

<sup>99</sup> T-D. Truong. 2001. "Organised Crime and Human Trafficking", in *Organized Crime, Myths and Profits*, edited by E. Veriano. London.

Action.<sup>100</sup> The trade in human beings is part of the globalization of trade in goods, investment, production and services, and needs to be part of trade policy discussions at the World Trade Organisation.<sup>101</sup>

60. Increasing rates of trafficking are linked with women's low socio-economic status and their lack of economic rights in the context of neoliberal globalization.<sup>102</sup> The majority of trafficked women have made a decision to migrate in search of better economic opportunities, not to be abducted, kidnapped, or to work in indentured labour conditions. State policies that treat trafficked women as criminals or mere victims in need of rescue and rehabilitation fail to take account of their economic agency and their human rights in the prevention, protection and prosecution of trafficking. States often seek to control women and police their bodies rather than empower them.<sup>103</sup> Indeed, some argue that it is not migration for sex work that should be abolished, but rather the power relations between trafficked women and traffickers that involves physical, psychological and economic violence against women as well as violation of many other human rights. When slavery was abolished, for instance, it was the power relationship that was abolished, not working in the cotton fields or in domestic work.<sup>104</sup>

61. Globalization introduces new vulnerabilities to violence, as well as offering potential for empowerment through labour migration. But neoliberal government policies that fail to attend to the basic social and economic entitlements of individuals and families make violence against women a more likely outcome than empowerment for women.<sup>105</sup> Restrictive immigration policies focused on national security and a narrow construal of economic interests lead to greater economic exploitation, physical abuse and violence against migrant women workers. Research

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<sup>100</sup> Trafficking is discussed in the Beijing Platform for Action in five out of the twelve critical areas of concern; women and health, violence against women, women and armed conflict, the human rights of women, and the girl child; but importantly not in the area of "women and the economy."

<sup>101</sup> T-D. Truong. 2001. "Organised Crime and Human Trafficking."

<sup>102</sup> A. Lansink, "Human rights focus on trafficked women: An international law and feminist perspective", Agenda (South Africa).

<sup>103</sup> J. Berman. 2003. "(Un) popular strangers and Crises (Un) bounded: Discourses of Sex trafficking, the European Political Community and the Panicked State of the Modern State", in *European Journal of International Relations* 9, 1; also see, B. Sullivan. 2003. "Trafficking in Women: Feminism and New International Law", in *International Feminist Journal of Politics* 5(1): 67-91.

<sup>104</sup> Lansink, "Human rights focused on trafficked women," p. 8.

<sup>105</sup> See Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, on trafficking in women, women's migration and violence against women, submitted in accordance with Commission on Human Rights resolution 1997/44. E/CN.4/2000/68 29 February 2000.

evidence shows that where countries have male biased immigration laws, women migrants are more vulnerable to violence.<sup>106</sup> Rather than restricting women's and girls' right to migrate and seek work, "the real challenge lies in creating the guarantees for them to do so safely and with dignity".<sup>107</sup> Migration can increase women's self-esteem, personal autonomy and social and economic status. It may enable them to generate the income to become property owners in their local communities and to begin small businesses. It will almost certainly improve their bargaining position within the household and allow them to enjoy increased social recognition from the community as a whole - all of which are factors predicted and proven to lessen women's vulnerability to violence.<sup>108</sup>

### **E. Women in post-crisis reconstruction and state-building**

62. It is by now well-documented that sexual and physical violence against women increases as a direct result of armed conflict and humanitarian crises such as natural disasters. The large scale rape of women, for example, has been a military strategy in countless historical and recent conflicts.<sup>109</sup> The causes of armed conflict are often linked with attempts to control economic resources such as oil, metal, diamonds, drugs or contested territorial boundaries.<sup>110</sup> Violence against women may be one way to achieve this control. In the Ugandan civil war women were

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<sup>106</sup> This is because of several reasons. Firstly, where women are admitted into the country as a "dependent" on their husbands' visa, the power relations within the family shift, and there is an increase in the rates of domestic violence. Also in these situations women are unable to leave their abusive husbands because they may then lose their visa. Secondly, where women are unable to secure legal migration they may resort to trafficking or smuggling and working the informal sector where they are much more vulnerable to violence. Thirdly, where visa and migration laws do not give migrant women full access to social services such as counseling or health care, they are more vulnerable to violence. Finally, where women's visas are tied to their place of employment, they cannot leave without losing their immigration status, even if their employment situation is abusive. See: Varia, "Globalization Comes Home"; and also, *Human Rights Watch 2008*. "Protect Domestic Workers from Violence". November 24.

<sup>107</sup> Varia, "Globalization Comes Home", 10.

<sup>108</sup> INSTRAW, *Crossing Borders: Gender, Remittances and Development*, by Carlota Ramírez, Mar García Domínguez, Julia Míguez Morais. Santo Domingo, 2005.

<sup>109</sup> See: L. Kelly. 2000, "Wars against Women: Sexual Violence, Sexual Politics and the Militarized State", in S. Jacobs, R. Jacobson and J. Marchbank (eds), *States of Conflict: Gender, Violence and Resistance*, London: Zed Books; C. Moser and F. Clark, eds. 2001. *Victims, Perpetrators or Actors? Gender, Armed Conflict and Political Violence*, London: Zed Books; WHO Regional Office for Europe and Instituto Superiore di Sanita, 2001, *Violence against Women in Situations of Armed Conflict*, Workshop Report, 12-13 October 2000, Naples, Italy. Available at: [http://www.who.int/violence\\_injury\\_prevention/media/en/152.pdf](http://www.who.int/violence_injury_prevention/media/en/152.pdf).

<sup>110</sup> A. El Jack, 2003. *Gender and Armed Conflict: Overview Report*, Bridge Development - Gender, Institute of Development Studies, p. 8.

reportedly raped in order to extract resources from them, and also to take away the agricultural labour force of the community. Because women do the majority of agricultural work in that country, stopping women from being able to work, effectively cutting the food supply of the “enemy”.<sup>111</sup>

63. Women and girls displaced by disasters have also been subject to rape, sexual abuse, early and forced marriage, and trafficking.<sup>112</sup> What is less known, is the long term impact of this violence against women on their rights and welfare in the post crisis or post conflict phase.<sup>113</sup> The stigmatization, and sometimes even forced displacement, of women who have been raped for instance, often results in their impoverishment and in continued violence against them.<sup>114</sup>

64. In the Darfur region of western Sudan, there are reports that thousands of women were raped and tortured, and have lost their husbands and livelihoods as a result of the conflict.<sup>115</sup> These women and their families have become internally displaced persons vulnerable to ongoing violence in camps and resettlement zones.<sup>116</sup> In both conflict and disaster situations, men may

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<sup>111</sup> In some cases this was further achieved by also amputating limbs (Human Rights Watch cited in M. Trushen, 2000. “The political economy of violence against women during armed conflict in Uganda”, in *Social Research*, Fall, p. 813).

<sup>112</sup> C. Felten-Biermann, Claudia. 2006. “Gender and Natural Disaster: Sexualized violence and the tsunami”, in *Development* 49, 3: 82-86.

<sup>113</sup> On the economic and social consequences of armed conflict for women see Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission resolution 1997/44, E/CN.4/1998/54, 26 January 1998.

<sup>114</sup> See, El Jack, “Gender and Armed Conflict”; Housing and Land Rights Network, “Post-Tsunami Relief and Rehabilitation”. The increase in violence against women after hurricane Mitch in Maquilas is discussed by E. Enarson. 2000. Gender and Natural Disaster Report. ILO: Recovery and Reconstruction Department: 14. Women’s economic position also suffers as a result of natural disasters, making them more vulnerable to violence. See, K. Ikeda.1995. “Gender differences in human loss and vulnerability in natural disasters: a case study from Bangladesh”, in *Indian Journal of Gender Studies* 2, 2: 171-193.

<sup>115</sup> See: Human Rights Watch, *Five Years On, No Justice for Sexual Violence in Darfur*, New York, 2008; and “Agencies Speak out on Rape in Darfur”, in *Journal of American Medical Associations*, 2005: 294, 5. Also see, K. D. Askin. “Prosecuting Gender Crimes Committed in Darfur: Holding Leaders Accountable for Sexual Violence”, in *Genocide in Darfur: Investigating the Atrocities in the Sudan*, eds. S. Totten and E. Markusen, CRC Press, 2006: 141-162.

<sup>116</sup> United Nations Population Fund. 2007. “Dispatches from Darfur: Caring for the Ones Who Care for Others.” New York: UNFPA.

feel themselves powerless and unable to fulfill their duty to protect their families.<sup>117</sup> This can arouse men's resentment and erupt in violence against women family members, especially if women are the economic providers.<sup>118</sup> Indeed, women often become heads of households during times of conflict or in the aftermath of a disaster, as men may be out fighting, be killed, or elect to leave the affected area in order to look for work elsewhere. Women who are left behind thus become primarily responsible for their family's survival. Even when a political settlement has been achieved organized crime may perpetuate political violence and violence against women.

65. Failure to address women's social and economic rights in post-conflict situations, "contribute[s] to women's economic poverty and material insecurity and thus, their vulnerability to being trafficked. Begging and prostitution, which may be resorted to as a means of redressing poverty, create further vulnerability to violence and trafficking".<sup>119</sup> The invisibility of violence against women both during and after the conflict/disaster is over, exacerbates gender inequalities and marginalizes women in reconstruction and state-building processes despite UN Security Council Resolution 1325 (S. /RES/1325 (2000)), which recognizes the right of women to participate in these processes.<sup>120</sup> This has been the case in Timor Leste, Afghanistan and Iraq, for instance, where few women have held decision-making positions in reconstruction or state-building agencies and efforts. Despite a UN directive in East Timor calling for thirty percent of all national and district hiring within every classification/level of employment to be of women, this commitment was not realized.<sup>121</sup> In Iraq only three out of twenty-five members of the US-led Coalition Provisional authority were women, there was only one woman in the interim cabinet, and no woman was part of the drafting committee for the interim constitution.

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<sup>117</sup> Insufficient economic opportunities for men to provide for their families and as such live up to expectations of successful masculinity may encourage conflict in the first place. For example, Dolan argues that economically marginalized men in Northern Uganda welcomed the chance to restore their traditional male identity by following warmongers and becoming soldiers (See C. Dolan, "Collapsing Masculinities and Weak States: A Case Study of Northern Uganda", in F. Cleaver (ed.) *Masculinities Matter: Men, Gender, and Development*. London).

<sup>118</sup> United Nations Population Fund. 2008. *The State of the World Population: Culture, Gender, and Human Rights*. New York: 7.

<sup>119</sup> See: Chinkin, "The Protection of Economic, Social and Cultural Rights Post-Conflict", p. 11; and *Gender and Natural Disaster Report*. ILO: Recovery and Reconstruction Department: 14.

<sup>120</sup> J. Wilson, B. Phillips and D. Neal. 1998. "Domestic violence after disaster", pp. 115-123, in E. Enarson and B.H. Morrow (eds.), *The Gendered Terrain of Disaster*.

<sup>121</sup> Although 33 per cent of UNTAET international civilian officials were women, only 11 per cent of UNTAET East Timorese staff were women with just 4 per cent in the civilian police force and 2.4 per cent in the peacekeeping force. Also see: Hilary Charlesworth. 2009. "Worlding Women in International Law," in *Gender and Global Politics in Asia-Pacific*, edited by Bina D'Costa and Katrina Lee Koo. New York: Palgrave: 23-24.

66. The lack of political representation and participation of women is in part a consequence of the gender inequality in the enjoyment of economic and social rights and of women's experiences of violence in the public realm. However, when this gender imbalance in decision-making is sanctioned by the international community, it reinforces local hostility toward women's public involvement, including on religious grounds. Most women candidates refused to campaign in public in the lead-up to the January 2005 elections in Iraq because of fears of violence. Men feared violence too but the violence perpetrated against women has religious support.<sup>122</sup>

67. However, some research suggests women can be empowered in post crisis situations by transforming gender roles and women's place in society.<sup>123</sup> Certainly, there are opportunities for addressing endemic problems in society and improving the economic and social rights of citizens during the rebuilding of societies after crises, but these opportunities often discriminate against women.<sup>124</sup> For example, in the early phases of state-building it is common to designate mass employment opportunities for men, such as road-building and housing construction, which typically offer quick employment to large numbers of men. But mass employment opportunities for women that are culturally acceptable are not typically planned or implemented. For example, in the first years of the Afghan reconstruction, external actors had a limited vision of women's economic activity, such as in the form of sewing projects.<sup>125</sup>

68. At the time of the UN transitional administration in East Timor (UNTAET) domestic violence against women was pervasive across the whole society.<sup>126</sup> In 2000, forty per cent of all offences committed against women were by male family members.<sup>127</sup> Some argue that international and Timorese policy makers turned their attention to establishing formal legal and political institutions rather than addressing as an equal priority, the basic economic and social needs of society, as well as the culture of impunity and the human rights violations rampant in

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<sup>122</sup> *Ibid.*, p. 26.

<sup>123</sup> M. Holt. 2003. "Palestinian Women, Violence, and the Peace Process", in *Development in Practice* 13, no. 2 & 3: 223-38. See, [www.profemme.rw](http://www.profemme.rw).

<sup>124</sup> J. Bernard, S.G. Jones, O. Oliker, C. Quantic Thurston, B.K. Stearns, K. Cordell, 2008. *Women and Nation-Building*. Stanford: RAND.

<sup>125</sup> Bernard et al. *Women and Nation-Building*.

<sup>126</sup> N. Hall and J. True. "Gender Mainstreaming in a Post-Conflict State: Toward Democratic Peace in Timor Leste", in K. Lee Koo and B. Da Costa eds. *Gender and Global Politics in Asia-Pacific*. Basingstoke: Palgrave Macmillan, 2009.

<sup>127</sup> Charlesworth, "Worlding Women in International Law", p. 22.

the private sphere.<sup>128</sup> The eighty percent unemployment rate in urban areas partly explains the high prevalence of family violence. “Violence within the family became a way for men to reassert their domestic power”.<sup>129</sup> This situation in Timor is not atypical of other conflicts and reconstruction processes.

## **F. Women’s survival strategies**

69. Women’s survival strategies and mechanisms for coping in the context of economic austerity and competitive globalization have increased their vulnerability to violence. The erosion of state social security systems and the lack of economic security across many parts of the world has led to the feminisation of poverty and the exploitation of both paid and unpaid female labour. Migration for domestic or sex work and marriage under conditions of male violence can be seen in this light, shaped by the lack of better economic opportunities in local communities.

70. This report has identified a number of risk factors and groups of women and girls who are particularly vulnerable to violence due to their limited/lack of access to economic and social rights as a result of local patriarchal norms and global economic structures. The report has revealed the interconnectedness of human rights, namely between economic and social, and civil and political rights (in the twin covenants) and has highlighted the multiple, cross-cutting nature of violations suffered by women and girls. Violence against women is a violation of the right to life and to physical security but also of a whole range of economic and social rights. Increasingly women are organising to claim and defend their full economic and social rights in the context of gender injustices and gender-based violence they suffer in their workplaces, factories, homes and communities. This cross-cultural human rights activism targets global economic policies and actors as well as state and local patriarchal structures.

71. For many women - especially poor women, IDP and refugee women, survivors of conflict and disaster, women migrant workers, women in the informal sector, single mothers, indigenous women and others from minority ethnic groups, tribal groups and lower social castes - human rights are not a luxury that can only be addressed once national and global economic interests are secured or when a country is sufficiently wealthy. Even economic rationales for ending violence against women, such as those based on a determination of the costs to governments and business of failing to eradicate violence against women or the benefits of promoting greater gender equality and non-violence, will not help these women in the short to medium term. What is

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<sup>128</sup> Sofi Ospina, “Participation of Women in Politics and Decision-Making in Timor-Leste: A Recent History”, Unpublished Report (Dili: UNIFEM, 2006), pp. 16-22. Also see, East Timor Office of the President Gender Affairs Unit and Cliondah O’Keeffe, *Situational Analysis of Gender in Post-Conflict East Timor* (Dili, East Timor, 2002), p. 10-11,

<sup>129</sup> Ibid., p. 23 citing Tracy Fitzsimons, “Engendering Justice and Security After War,” in *Constructing Justice and Security After War*, ed. Charles V. Call. Washington DC: US Institute for Peace, pp. 351, 353.



necessary is a recognition that they have a right to live a dignified life and that the realization of social and economic rights are an integral and essential condition for addressing violence against women as well as other human rights violations.

### III. VIOLATIONS OF WOMEN'S ECONOMIC AND SOCIAL RIGHTS

72. Globalization, conflict and post-conflict processes have deepened unequal gender structures, thus further constraining women's access to social and economic rights. Governments, non-state actors and international organizations need to work together to create enabling conditions for the enjoyment of these economic and social rights. Doing so would represent a major step toward eliminating violence against women, its causes and consequences. This section focuses on the relationship between violence against women and violations of women's economic and social rights, such as *inter alia*: the right to adequate housing, property, inheritance, food, water, education, health, and the right to decent work and social security. Without attention to the provision of basic economic and social rights, and gender equality in the enjoyment of these rights, efforts to protect and prevent violence against women are unlikely to be successful.

#### Overview of women's status and violence against women

73. The United Nations Population Fund reports: "women and girls are three fifths of the world's one billion poorest people, women are two-thirds of the 960 million adults in the world who cannot read, and girls are 70 per cent of the 130 million children who are out of school".<sup>130</sup> They own less than two percent of the world's property. Furthermore, the numbers of women dying as consequences of pregnancy and childbirth are essentially unchanged since the 1980s, at about 536,000 per year.<sup>131</sup> This overview of the status of women leads us to ask whether the greatest violence against women occurs in contexts where women's social and economic rights are the least secure?

74. Using data from the World Health Organisation 2005 study on the prevalence of sexual violence perpetrated by a partner during a women's lifetime in ten countries,<sup>132</sup> it has been found that there is a statistical correlation between countries scoring high on the gender development index (GDI) and those countries with lower rates of violence against women. Conversely, the lower the levels of human and gender development, the higher were the levels of violence against women.<sup>133</sup> Thus, women are more likely to enjoy economic and social rights and an

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<sup>130</sup> United Nations Population Fund. 2008. *The State of World Population*, p. 3.

<sup>131</sup> *Ibid*: 4.

<sup>132</sup> WHO. (2005). *Multi-Country Study on Women's Health and Domestic Violence against Women*, Geneva. Available at: [http://www.who.int/gender/violence/who\\_multicountry\\_study/Cover.pdf](http://www.who.int/gender/violence/who_multicountry_study/Cover.pdf)

<sup>133</sup> Remenyi, "Chapter 1", in *The Multiple Faces of the Intersections between HIV and Violence Against Women: Development Connections*.

environment enabling them to prevent at least some forms of violence, in countries with greater gender equity. According to the Social Watch Gender Equity Index for 2008, which ranks 157 countries on their progress on gender equity in education, economic participation and political empowerment, income alone is no guarantee for gender equity. Countries with very high per capita incomes, such as Luxembourg and Switzerland, have the same equity level as Mozambique, a country with a much lower income level.<sup>134</sup> Among the countries with the highest achievement of gender equity is Rwanda, one of the poorest countries.

75. Violence against women is linked to women's economic rights and status but not in a straightforward way.<sup>135</sup> One study found that all women except the wealthiest quintile experienced domestic violence in the Dominican Republic, and in Haiti women in the 3<sup>rd</sup> quintile were most likely to experience domestic violence while in Cambodia those in the poorest quintile were most likely to experience violence.<sup>136</sup> However, studies also suggest that violence against women may actually rise as women initially gain greater access to social and economic opportunities and resources, and in some settings, women in the poorest households may also be somewhat protected from violence.<sup>137</sup> Women's increasing economic activity and independence is often viewed as a direct threat to male dominance, which may lead to increased male violence. "Where women have a very low status, violence is not 'needed' to enforce male authority. Partner violence is thus usually highest at the point where women begin to assume non-traditional roles or enter the workforce".<sup>138</sup> An example of this trend is the apparent increase in acid attacks in Bangladesh despite increases in the proportion of Bangladeshi women obtaining a higher education and in paid employment.<sup>139</sup>

76. Amartya Sen argues in *Development as Freedom* that greater economic independence gives women a "better deal" in intra-household distribution of resources.<sup>140</sup> Corroborating this argument, in one count-data analysis of instances of domestic violence it was found that less

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<sup>134</sup> Social Watch, Press Release 2008. See, [www.socialwatch.org](http://www.socialwatch.org).

<sup>135</sup> S. Bott, A. Morrison, and M. Ellsberg, "Preventing and Responding to Gender-Based Violence in Middle and Low-Income Countries: a Global Review and Analysis." World Bank Policy Research Working Paper, 2005.

<sup>136</sup> S. Kishor and K. Johnson. 2004. "Profiling Domestic Violence: A Multi-country Study". ORC Macro, Calverton, MD: 299.

<sup>137</sup> R. Jewkes. 2002b. "Intimate Partner Violence: Causes and Prevention", in *The Lancet* 359: 1423-1429.

<sup>138</sup> L. Heise, and C. Garcia-Moreno. 2002. "Violence by Intimate Partners", in Keug, Etienne et al., Eds. *World Report on Violence and Health*. World Health Organization: Geneva: 99.

<sup>139</sup> See, <http://www.acidsurvivors.org/about.html>.

<sup>140</sup> A. Sen, *Development as Freedom*.

economic dependence is associated with less domestic violence against women.<sup>141</sup> To be sure, if women are economically and emotionally dependent on men they will be afraid of leaving violent family structures or seeking help, and may be unable to access alternative housing.<sup>142</sup> In patriarchal cultures where women's sexual purity and ability to bear children is highly valued, being raped may bar a woman from accessing their only claim to economic resources, that is, through their relationships to men. Economic dependence or lack of economic opportunities leads women to become trafficked for prostitution or domestic slavery, or suffer forced marriage or sex, as has been documented in many countries.<sup>143</sup>

77. But there is also an indirect relationship between economic dependence and the prevalence of violence against women. Political science research reveals that where women hold the weakest position in the economy, in terms of their labour market participation and wages relative to men, their political preferences are the least distinct from men".<sup>144</sup> That is, where women are economically dependent on men, they are likely to be politically subordinate as well. This political subordination typically results in women being underrepresented politically and in economic decision-making structures; thus lacking the influence over policies that might safeguard their interests and prevent or combat violence against women, such as policies that would promote effective, gender-sensitive criminal and civil justice systems and welfare provisions.<sup>145</sup> Without such policies, violence against women is unlikely to be identified as an important social issue, let alone prosecuted or prevented. As Navi Pillay, the UN High Commissioner for Human Rights, states: "Efforts to combat violence against women will never be fully successful while national legal frameworks to protect them, and grant them the possibility of economic and social independence remain inadequate".<sup>146</sup>

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<sup>141</sup> B. Basu and F. Famoye. 2004. "Domestic violence against women and their economic dependence: A count data analysis", in *Review of Political Economy* 16, 4: 457-42.

<sup>142</sup> U. Hombrecher et al. 2007. *Overcoming Domestic Violence: A Global Challenge, Experiences and Recommendations from an International Project*. Social Service Agency of the Protestant Church in Germany and Bread for the World, p. 31.

<sup>143</sup> See, for example, Human Rights Watch, 2003. *Just Die Quietly: Domestic Violence and Women's Vulnerability to HIV in Uganda*. Available at: [www.hrw.org/reports/2003/uganda0803](http://www.hrw.org/reports/2003/uganda0803).

<sup>144</sup> T. Iversen and F. Rosenbluth. 2006. "The Political Economy of Gender: Explaining Cross-National Variation in the Gender Division of Labor and the Gender Voting Gap", in *American Journal of Political Science* 50, 1: 1-19; also 2007. *Overcoming Domestic Violence*, Section C, in *There is Always a Reason: Violence and its Roots*.

<sup>145</sup> As evidence of this relationship between political representation and violence against women, S. Walby (*Globalization and Inequalities: Complexity and Contested Modernities*. London: Sage 2009) finds a correlation between the greater proportion of women in Parliament and the homicide/femicide rate using global data from the WHO and Inter-Parliamentary Union.

<sup>146</sup> UN High Commissioner for Human Rights, Ms. Navi Pillay, "Combating Impunity to End Violence against Women," Press Release, 25 November 2008.

78. The remainder of this section examines the empirical connections between the enjoyment or lack thereof, of specific economic and social rights, women's empowerment, and violence against women. This analysis reveals that violence against women acts as a barrier to women's realization of their economic and social rights, but also that, in turn, the lack of access to these rights renders women inherently vulnerable to violence. The interconnectedness of economic and social rights is continually highlighted and the need for an integrated approach to their achievement is stressed, especially for the poorest and most marginalized women who are subjected to ongoing violence.

79. Women's ability to access and control productive resources is an important exercise of their right to develop their human capabilities and live a dignified human life. Women's status is significantly less than men's in most societies, in large part because of the lesser control they have over economic and social resources. These resources include adequate housing, ownership or control over land and property, access to food and water, enjoyment of education and health, and access to paid employment and social security.

#### **A. Right to adequate housing**

80. The right to adequate housing includes not only security of tenure but also access to public services, and participation in the physical, social, legal and economic environments.

81. Lack of adequate housing can trigger violence against women and conversely, violence against women can lead to the violation of women's rights to adequate housing.<sup>147</sup> Many women suffer violence in order to avoid homelessness or because of it. Those especially at risk of violence because they have difficulty accessing alternative housing include female internally-displaced persons or refugees, domestic workers, poor single mothers, and women living in States without safe shelters or affordable long term housing for abused women. Victims of domestic violence are also routinely denied access to housing due to discrimination on the part of landlords and others.<sup>148</sup>

82. Testimonies from women's groups in several countries reveal that women remain subject to domestic violence and do not leave abusive relationships if they have no chance of securing independent housing. Domestic violence is closely linked to being able to make decisions about property and security of tenure. Ownership and control over property acts as a control in

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<sup>147</sup> Proceedings of the Asia Regional Consultation on 'The Inter-linkages between Violence against Women and Women's Right to Adequate Housing,' held in cooperation with the UN Special Rapporteur on Adequate Housing, New Delhi, India, October, 2003, p. 37, 54.

<sup>148</sup> Communication with Ms. Mayra Gomez, COHRE, January 23. Canada also conducted a study on Housing Discrimination against Victims of Domestic Violence (July 2006) that documented the degree to which landlords discriminate against battered women.

situations of domestic violence. Where women are unable to form autonomous households, they do not exercise freedom of choice over having a spouse or partner and over the allocation of their labour.<sup>149</sup>

83. Poor women living in urban, high-density housing are especially at risk of high rates of domestic violence. For example, women living in plantation line housing in Sri Lanka with three families to one dwelling reported being beaten by their husbands very often. Due to a lack of privacy in the dwelling the women felt uncomfortable having sexual relations with their husbands, which led to the violence.<sup>150</sup> Reports indicate that many women trying to escape violence in rural communities flee to cities and urban slums and end up in high density housing where they encounter many forms of abuse and violence.<sup>151</sup> During the course of a study on women in urban slums by the Centre for Housing Rights and Eviction, polygamous marriage unexpectedly emerged as an issue influencing why women moved and settled in slum areas. Women who had migrated to urban areas and who were wives in a polygamous arrangement reported that they needed to come to the city to financially support themselves and their children. As the third, forth, or fifth wife (sometimes higher), women reported that they and their children were not economically supported by their husbands and had to fend for themselves.<sup>152</sup>

84. Risk of violence is particularly acute for refugee and internally displaced women and girls (IDPs) in conflict situations. Women in refugee and IDP camps lack privacy and may be forced to live in the same quarters or in close proximity to male strangers, which decreases their security and increases their vulnerability. Studies show a high level of sexual violence in and around these camps. Moreover, once the conflict has ended women who are repatriated often no longer have houses or land to return to. This is due to a number of reasons, including destruction, their forced relocation to a different part of the country, discriminatory inheritance laws, lack of proper property titles, and secondary occupants. Forced marriages by military commanders in order to obtain homes or land inherited by women are reportedly common in Afghanistan.<sup>153</sup>

85. Projects that may involve large new developments or hosting events such as the Olympic Games often resort to forcibly expelling large populations of poor people from their homes and land to free up desired locations or build infrastructure for the event. The impact of these forced evictions, often by militia or armed forces, is profoundly devastating for women and is correlated with heightened rates of physical, psychological and economic violence against women before,

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<sup>149</sup> Ann Shola Orloff. 2002. "Women's Empowerment and Welfare Regimes: Globalization, Export Orientation and Social Policy in Europe and North America", in *Social Policy and Development Programme*: United Nations Research Institute for Social Development, p. 30.

<sup>150</sup> *Ibid.*, p. 42.

<sup>151</sup> Centre for Housing Rights and Evictions, *Women, Slums and Urbanisation: Examining the Causes and Consequences*, Women and Housing Rights Programme, May 2008.

<sup>152</sup> *Ibid.*

<sup>153</sup> Proceedings of the Asia Regional Consultations, 2003, p. 43.

during and after the evictions.<sup>154</sup> This is true both in terms of violence against women at the hands of state authorities, non-state actors, community members, as well as violence against women by their partners or relatives within the home.

86. The lack of adequate housing and resulting violence women are subjected to has also been found to be a problem both during and in the aftermath of natural and humanitarian disasters. A study of the housing reconstruction aspects of the international response to the tsunami in Sri Lanka and Tamil Nadu revealed a disregard for women's and girls rights.<sup>155</sup> Many more women than men died in the tsunami in both Sri Lanka and India, resulting in an unbalanced current sex ratio. While there were some surviving women-only households and many widowed heads of households, overall, male survivors outnumbered women in tsunami-hit areas. Moreover, instead of addressing women's concerns, it is argued that the relief effort served to increase discrimination against them.<sup>156</sup> Compensation was generally handed out to male members of the family who, in many cases, did not share it with the women or surviving women-only households.<sup>157</sup> There was a large increase in documented cases of physical abuse, rape, forced and early marriage. These cases reveal a failure to properly consider and implement the gender dimensions of housing reconstruction.

### **B. Property, land and inheritance rights**

87. The right to adequate housing is integrally related to the rights to property, land ownership and inheritance rights. Property rights and their enforcement are often dependent on the will of the men in family. For example, in the Karen community in Thailand/Myanmar, women can only inherit land if the family gives it to them. The gender gap in land ownership "is the single most critical contributor to the gender gap in economic wellbeing, social status and empowerment" in India and potentially in other developing countries.<sup>158</sup> Property is a livelihood sustaining asset that can generate income as well as security. Owning land gives women economic rights and opportunities to avoid situations where they are vulnerable to violence. It increases their bargaining power relative to men in both the family and in society at large.

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<sup>154</sup> See for example, Centre for Housing Rights and Eviction, 2008. *Violence: the impact of forced evictions on women in Palestine, Nigeria and India*.

<sup>155</sup> Housing and Land Rights Network, Habitat International Coalition, 2005. *Post-Tsunami Relief and Rehabilitation: A Violation of Human Rights*. Report of a Factfinding Mission to Tsunami Affected Areas of Tamil-Nadu, India and Sri Lanka. South Asia Regional Programme, August.

<sup>156</sup> *Ibid.*, p. 8.

<sup>157</sup> *Ibid.*, p. 14

<sup>158</sup> B. Agarwal. 1994. "Gender and Command Over Property: A Critical Gap in Economic Analysis and Policy in South Asia", in *World Development* 22(10), p. 1455. Also see, B. Agarwal, and P. Panda. 2007. "Toward Freedom from Domestic Violence: The Neglected Obvious", in *Journal of Human Development* 8, 3: 359-88.

88. Two studies of Kerala and West Bengal respectively found that women's property ownership often serves as a deterrent to domestic violence and is associated with a dramatically lower incidence of physical and psychological violence, both in the short and long term.<sup>159</sup> Battered women need independent economic means not just domestic violence laws, gender-sensitive policing, counselling and safe shelters.<sup>160</sup> Right to housing and right to land campaigns that are promoted to enhance women's livelihood options should be broadened to embrace the link with domestic violence.<sup>161</sup>

89. Significant field research in Kenya also reveals the causal linkages between women's lack of property rights and the high levels of violence inflicted against them.<sup>162</sup> Kenyan women own less than 1 per cent of the land while performing 70 per cent of agricultural labour.<sup>163</sup> "The denial of equal property rights has the effect of putting [them] at greater risk of poverty, disease, violence, and homelessness".<sup>164</sup> Many women and social agencies testified that "when men control matrimonial property, women face increased risk of domestic violence".<sup>165</sup> Women's lack of property rights and experience of violence is also linked to poor health, increased rates of HIV/AIDS transmission, and low macro-economic growth.<sup>166</sup> Discriminatory property and

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<sup>159</sup> *Ibid.*

<sup>160</sup> P. Panda and B. Agarwal. 2005. "Marital Violence, Human Development and Women's Property Status in India", in *World Development* 33, 5:823-850.

<sup>161</sup> Panda and Agarwal's studies, which highlight the importance of women's access to land and inheritance rights, contributed to the adoption of the Hindu Succession Act 2005, which gives women and men equal ownership and inheritance rights in India.

<sup>162</sup> For an analysis of women's unequal economic status due to inheritance and land laws and their vulnerability to violence, see the Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 2001/49, Cultural practices in the family that are violent towards women. E/CN.4/2002/83, 31 January 2002.

<sup>163</sup> S. Deller Ross et al. 2008. "Empowering Women with Rights to Inheritance: A Report on Amendments to the Law of Succession Act Necessary to Ensure Women's Human Rights-Human Rights Report." International Women's Human Rights Clinic, Georgetown University Law Center and Federation of Women Lawyers: Kenya, p. ii.

<sup>164</sup> S. Deller Ross et al. 2008. "Women's Land and Property Rights in Kenya: Moving Forward Into a New Era of Equality". International Women's Human Rights Clinic, Georgetown University Law Center and Federation of Women Lawyers: Kenya, p. 1.

<sup>165</sup> *Ibid.*, p. 41.

<sup>166</sup> S. Dennis and E. Zuckerman. 2006. *Gender Guide to World Bank and IMF Policy-Based Lending*. Washington: Gender Action: 9.

estate laws lead to women's economic vulnerability.<sup>167</sup> Women may yield to demands "for unprotected sex, despite the danger, as they often have nowhere to go, limited financial options (a Kenyan woman's average earnings is less than half that of a man), limited land rights, and fear losing their children".<sup>168</sup> Rural women in South Africa frequently live in female-headed households, in chronic poverty and are subject to spiralling levels of violence, as well as a disproportionately high prevalence of HIV. Many of these women were forcibly evicted from their ancestral land by the apartheid system.<sup>169</sup>

90. It is argued that widows are particularly at risk of violence due to succession laws and customs in Kenya that prevent women from inheriting property upon the death of their husbands.<sup>170</sup> Their lack of property rights may also result in violent cultural practices, in addition to the violence they face as a consequence of their newfound poverty as widows.<sup>171</sup> Some women upon the death of their husband face the threat of being violently evicted from their homes. Others are made to go through dangerous and unwanted cultural practices in order to receive their inheritance, such as widow 'cleansing' or 'widow inheritance' where they may be forced to engage in non-consensual sexual relations or to enter an unhealthy or abusive marriage.<sup>172</sup> Oral testimonies of individual women and project officers reveal that many women are unaware of their legal rights and given their socio-economic situation cannot access judicial processes.<sup>173</sup>

91. Women's difficulty in claiming their rights to property and land is linked with other sex-discriminatory laws including male-biased marriage and divorce laws, and gender bias on land dispute bodies. Land dispute bodies which are typically made up of men exclude women from the decision making process. Situations of violent conflict reveal in a more blatantly direct way how violations of the right to property and land are inseparable from acts of physical violence against women. In many conflict situations combatants have used rape strategically in

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<sup>167</sup> Remenyi. 2007. Chapter 1, *The Multiple Faces of the Intersections between HIV and Violence against Women*: 7.

<sup>168</sup> Dennis and Zuckerman, *Gender Guide*: 43.

<sup>169</sup> "South Africa: Rural Women and Land Reform: When Will We Move Beyond the Rhetoric?" September 3. 2008. Available at: <http://sacsis.org.za>. Accessed, 13 November, 2008.

<sup>170</sup> S. Deller Ross et al, "Empowering Women with Rights to Inheritance".

<sup>171</sup> On the economic situation of widows, see Commission on Human Rights, Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 2001/49, Cultural practices in the family that are violent towards women. E/CN.4/2002/83, 31 January 2002.

<sup>172</sup> *Ibid.*, pp. 2, 15, 19.

<sup>173</sup> *Ibid.*, pp. 4, 15-16.



order to acquire women's assets, including land and homes, some of which were needed for the war effort (for military gain), or indeed, were among the reasons for the conflict. Forced into poverty and often, displacement, women are far more vulnerable to ongoing violence.<sup>174</sup>

### **C. Right to food, food security**

92. Women's right to food is impaired by their limited access to and control over other productive resources as a result of discrimination in education, lower incomes, inequality in intra-household food distribution, inadequate public health care and exclusion from decision-making processes. Women disproportionately bear the impact of food supply crises, food price rises and the privatisation of the food supply. Their food and income insecurity frequently results in higher levels of violence against them. Women's role as food providers and carers for their families, together with their general lack of property and labour rights, makes them particularly vulnerable to violence. For instance, in order to put food on the table for their families, women may go into prostitution, putting themselves at risk of violence and of HIV/AIDs.

93. Women and especially girls are also at high risk of being trafficked when they are unable to secure sufficient economic resources to purchase or produce food. It is argued that in Malawi, the World Bank and International Monetary Fund sponsored privatisation of the state marketing board (ADMARC) and the Strategic Grain Reserve (SGR), which were used to keep the price of maize affordable, coupled with drought, flooding and mismanagement resulted in an ongoing food crisis. This crisis, it is maintained, led to increased levels of prostitution of women, and higher levels of HIV/AIDS in Malawian women.<sup>175</sup>

94. Poor rural women, IDPs and refugee women, and women living in conflict zones are at risk of violence in their efforts to provide food for themselves and their families.<sup>176</sup> Many women are raped and abused while seeking basic necessities such as water, food and firewood for cooking. This violence is perpetrated by a variety of actors, including local civilians, gangs, soldiers and other armed groups. In Sudan, rapes and other forms of sexual abuse have been frequently reported when displaced women and girls leave camp areas to gather firewood.<sup>177</sup> Lack of access to income sources has forced displaced women to collect firewood in the Kieni forest of Kenya, where they are reported to be subjected to abuse, including sexual abuse and

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<sup>174</sup> Turshen, "The Political Economy of Violence against Women During Armed Conflict": 804.

<sup>175</sup> Dennis and Zuckerman, *Gender Guide to World Bank*: 7.

<sup>176</sup> See: E. Mooney, 2005. "The Concept of Internal Displacement and the Case for Internally Displaced Persons as a Category of Concern", in *Refugee Survey Quarterly*, Vol. 24, Issue 3; and Oloka, Onyango, J. 1996. "The Plight of the Larger Half: Human Rights, Gender Violence and the Legal Status of Refugee and Internally Displaced Women in Africa", in *Denver Journal of Law and Policy* 24, no. 2,3: 349-94.

<sup>177</sup> United Nations Development Fund for Women. 2008. *Progress of the World's Women*. New York: UNIFEM: 100.

severe beatings.<sup>178</sup> “Sexual violence against displaced women collecting fuel has become so common that camp workers in Darfur have abbreviated the phenomenon to ‘firewood rape’.”<sup>179</sup>

95. During displacement, women are often forced to ‘pay’ for food with sex: “Demands for sexual services sometimes constituting an informal ‘currency’ in which bribes are paid. Examples range from rape and assault by service providers to sexual harassment and psychological abuse”.<sup>180</sup> “In Liberia, displaced women have been forced to exchange sex for aid, including food from national and international peace workers, according to a report by Save the Children.”<sup>181</sup> Internally displaced women are very vulnerable to violence as a result of their economic resources being stripped from them during the displacement and their lack of access to economic resources afterward. They remain economically disadvantaged decades after the displacement. In some IDP camps, girls and women have reportedly been forced to engage in “survival sex” to obtain food or “transactional sex” in exchange for spending money or small objects.<sup>182</sup> There are reports as well that displaced women fleeing their homes or living in IDP camps have sometimes been forced into prostitution in order to survive or have fallen prey to traffickers.<sup>183</sup> Such violence against women has also been found to occur at the hands of International Peacekeeping and staff responsible for humanitarian operations.<sup>184</sup>

#### **D. Right to water**

96. The task of collecting and providing clean water for their families and communities exposes women to similar risks and challenges as those related to collecting food. Women often have to walk long distances to fetch water in communities where their movement in public spaces is greatly constrained by tradition, and they lack access to public services providing clean water. In Nazlet Fargallah, Egypt, women must walk to collect water, often in the dark, making them very vulnerable to violence.<sup>185</sup> Narratives of pregnant Nepalese women also describe how

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<sup>178</sup> *Ibid.*

<sup>179</sup> *Ibid.*

<sup>180</sup> *Ibid.*, p. 44.

<sup>181</sup> Internal Displacement Monitoring Centre. Available at: [http://www.internal-displacement.org/8025708F004D404D/\(httpPages\)/953DF04611AD1A88802570A10046397B?OpenDocument](http://www.internal-displacement.org/8025708F004D404D/(httpPages)/953DF04611AD1A88802570A10046397B?OpenDocument).

<sup>182</sup> *Ibid.*

<sup>183</sup> *Ibid.*

<sup>184</sup> “UN Faces More Accusations of Sexual Misconduct: Officials Acknowledge ‘Swamp’ of Problems and Pledge Fixes Amid New Allegations in Africa, Haiti”, in *Washington Post*, March 13, 2005; Page A22; See Report of the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, submitted in accordance with Commission on Human Rights resolution 2000/45, E/CN.4/2001/73, 23 January 2001, pp. 17-19.

<sup>185</sup> UNIFEM, *Progress of the World’s Women*: 35.

women labour to fetch water for their families and suffer miscarriages on the journey.<sup>186</sup> Likewise, there are reports of Nigerian women who are raped by men or mauled by wild animals on their way to collect water.<sup>187</sup> Contamination of the water supply also has a particularly detrimental impact on women. Because women collect the water with which they prepare the food they may be blamed for the health consequences, or they may have to travel ever greater distances to gather clean water if local sources are no longer available. Poor Bangladeshi women suffering from arsenic poisoning are socially ostracized, and get less medical attention and nutrition, therein increasing their chances of experiencing violence.<sup>188</sup> Reports of chemical saturation of the water supply on the US/Mexican border document how babies are poisoned in their mother's wombs, while more women are diagnosed with breast cancer.<sup>189</sup>

97. It is also argued that the privatization of water, encouraged by World Bank and IMF policies in some developing countries, has created natural monopolies leading to price rises and affecting poor people's access to water. Because women make up the majority of those in poverty, women are more negatively affected by these policies. NGOs have documented the deleterious impact on women's livelihoods as a result of the privatization of the DAWASA city water in Tanzania, in Cochabamba, Bolivia, and Onakry, Guinea.<sup>190</sup> The lack of access to clean water and the impoverishment that this represents increases women's risk of violence. Women face spousal abuse and social censure when competing for access to clean water as has been documented in Coporaque, Peru.<sup>191</sup> The struggle for clean water is also reported to have affected intergenerational violence within the Native American culture resulting from the flooding of the Cree lands in Canada by the James Bay hydroelectric dam.<sup>192</sup>

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<sup>186</sup> S. Regmi. 2007. "Nepali women and their struggles over water during Pregnancy", in *International Feminist Journal of Politics* 9, 4: 522-524.

<sup>187</sup> O. Rotimi. 2007. "Ogiyo, Nigeria: Testimony", in *International Feminist Journal of Politics* 9, 4: 521-22.

<sup>188</sup> M. Manzurul Hassan, P.J. Aitkins, C.E. Dunn. 2005. "Social implications of arsenic poisoning in Bangladesh", in *Social Science and Medicine* 61: 2201-2211.

<sup>189</sup> J. Sze. 2007. "Boundaries of Violence: Water, Gender and Globalization at US Borders", in *International Feminist Journal of Politics* 9, 4: 475-84.

<sup>190</sup> Dennis and Zuckerman, Gender Guide to World Bank, p. 7; A.E. Obando, *Women and Water Privatization*. Women's Human Rights Net. [www.whrnet.org/docs/issue-water.html](http://www.whrnet.org/docs/issue-water.html).

<sup>191</sup> J.V. Delgado and M. Zwartveen. 2007. "The Public and Private Domain of the Everyday Politics of Water: The Constructions of Gender and Water Power in the Andes of Peru", in *International Feminist Journal of Politics* 9, 4: 503-512.

<sup>192</sup> N. Ghosh. 2007. "Women and the Politics of Water: An Introduction", in *International Feminist Journal of Politics* 9, 4, p. 450.

98. By contrast easy access to clean water has been associated with girls and women's empowerment and their protection from violence. Equitable access to water for productive use can address some of the root causes of poverty and gender inequality that fuel violence against women. It is linked to improved school attendance for girls, as they become free to go to school rather than being obliged to fetch water for their families. It also improves income-generating opportunities and access to economic resources that are known to lessen women's vulnerability to violence.<sup>193</sup> However, property, land and inheritance rights must be addressed in tandem with water rights. Indeed, although land ownership is often a precondition for access to water, the reality is that women own title to less than two per cent of land and customs often prevent them from having *de facto* control over land - thus demonstrating the indivisibility of rights.

### **E. Right to health**

99. The World Health Organisation (WHO) has identified violence against women as an underlying determinant of health.<sup>194</sup> That is, violence against women is associated with poor health and affects the right to health when the health system is unable to detect or manage the health consequences of this type of violence. A 2005 WHO cross-national study found that "women who at some time experienced physical or sexual violence, or both, reported health problems with greater probability than those women who never experienced violence by their partner. Women who experienced abuse declared having problems walking and in carrying out their daily work, feeling pains, loss of memory, dizziness [and miscarriage] in the four weeks preceding the survey".<sup>195</sup> In all the countries surveyed an association was found between physical and sexual violence and the mental health problems of victims.

100. Violence against women affects women's sexual and reproductive health, which is a key aspect of women's right to health.<sup>196</sup> The experience of violence adversely affects reproductive health regardless of wealth.<sup>197</sup> Survivors of violence against women have the right to adequate reparation and rehabilitation that covers their physical and mental health. But this support is

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<sup>193</sup> Interagency Taskforce on Gender and Water, 2006. *Gender, Water and Sanitation: A Policy Brief*. UN Water.

<sup>194</sup> World Health Organisation and OHCHR. 2008. *Human Rights, Health and Poverty Reduction Strategies*. Health and Human Right Publication Series, Issue No. 5: 23.

<sup>195</sup> World Health Organisation. 2005. *Multi-Country Study on Women's Health and Domestic Violence against Women*. Geneva. Available at: [http://www.who.int/gender/violence/who\\_multicountry\\_study/Cover.pdf](http://www.who.int/gender/violence/who_multicountry_study/Cover.pdf): 14.

<sup>196</sup> WHO and OHCHR, *Human Rights, Health and Poverty Reduction Strategies*: 9.

<sup>197</sup> S. Kishor and K. Johnson. 2006. "Reproductive Health and Domestic Violence: Are the Poorest Women Uniquely Disadvantaged? ", in *Demography* 43, 2: 303.

often not provided.<sup>198</sup> Moreover, the privatization of health services may affect their access to healthcare, as the introduction of patient user-fees has been shown to greatly reduce women's attendance at health clinics.<sup>199</sup>

101. As mentioned, violence against women is also considered to be a leading cause of HIV/AIDs, affecting women's right to health.<sup>200</sup> Given the increasing feminisation of HIV/AIDs,<sup>201</sup> eliminating violence against women is a critical intervention to reduce the disease.<sup>202</sup> Women's lack of sexual and reproductive rights makes them vulnerable to forced sex, contributing to increasing levels of HIV in women due to the injuries caused by this sexual abuse. Indeed, there is evidence that women who have been forced to have sex or have been raped, suffer greater exposure to HIV infection. Violence against women or fear of it also prevents many women from asking their partners to practice safe sex leading to higher HIV rates. In Soweto, South Africa, intimate partner violence has been identified with a prevalence of HIV 1.4 times higher.<sup>203</sup> In Rakai, Uganda, the prevalence of HIV increased significantly when women reported sexual coercion and the use of alcohol before having sex.<sup>204</sup>

102. Many women experience violence at the hands of their partners as soon as their diagnosis becomes known. In order to care for family members with HIV/AIDs, women may feel forced into high-risk work such as the sex industry or may keep children, especially girls, out of school in order to help with care duties - thereby entrenching the intergenerational transmission of poverty and violence.<sup>205</sup>

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<sup>198</sup> Amnesty International Report on HIV/AIDS: 13.

<sup>199</sup> *Ibid*: 12.

<sup>200</sup> See D. Luciano. 2007. "Empowerment, HIV, and Violence against Women in Latin America and the Caribbean" in *Development connections*. Washington D.C. Available in: <<http://www.dvcn.org/Documents/Intersecciones-VIHVCM2.pdf>.

<sup>201</sup> Today 50% of the 30.8 million adults with HIV are women. In Sub-Saharan Africa, 61% of those with HIV are women. (Caribbean=43%, Asia=29%, Eastern Europe & Central Asia=26%). 60% of Youth with HIV (15-24yrs) are girls.

<sup>202</sup> Remenyi, *The Multiple Faces of the Intersections between HIV and Violence Against Women*.

<sup>203</sup> *Ibid*: 8.

<sup>204</sup> *Ibid*.

<sup>205</sup> UNFPA, *The State of World Population 2008*: 61.

## **F. Right to education**

103. Access to education is a crucial preventative factor for violence against women. Lack of education ensures women and girls have low status in society and are powerless relative to men. This gender power imbalance at home and in the public realm perpetuates and increases women's vulnerability to violence.<sup>206</sup> Frequently girls and women's right to education is violated by economic circumstances. For instance, when the cost of living and food are driven up by financial crisis, privatization or import liberalization, girls are far more likely to drop out of school than boys. Of the estimated 150 million children currently enrolled in primary school that will drop out before completion, at least 100 million will be girls.<sup>207</sup> Child marriage - a form of violence against girls - is associated with lower educational attainment for girls, limiting their employment opportunities and economic security. All these factors contribute to increased vulnerability to violence for women and girls, as well as limited access to social and economic resources and low levels of decision-making in the family.<sup>208</sup>

104. Although higher levels of education are generally associated with a lesser risk to women of experiencing violence, some studies find that there may be a greater risk of domestic violence with more education in middle-income developing countries. "Educated women know their rights and are therefore not prepared to follow orders unquestioningly. Asking questions leads to conflicts which then lead to violence".<sup>209</sup> These findings can be interpreted as a patriarchal backlash against women's newfound empowerment through education and the challenge that this represents to male domination in the family and in broader society.

## **G. Rights to work, livelihood and social security**

105. Paid work generates income and livelihood for an individual woman and her family. In so doing, it prevents poverty, which is associated with increased risks of experiencing violence. Elements of poverty that lead to violence include crowded living conditions, limited scope of action, as well as psychological strain.<sup>210</sup> Disputes between spouses regarding financial difficulties such as over loan repayments under women's microcredit programmes or male resentment of the woman's earnings can also trigger conflicts that end in violence.<sup>211</sup> Yet, access

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<sup>206</sup> UNIFEM, *Progress of the World's Women*.

<sup>207</sup> Dennis and Zuckerman, *Gender Guide to World Bank*: 10.

<sup>208</sup> International Center for Research on Women (ICRW). 2008. *Knot Ready: Lessons From India on Delaying Marriage For Girls*. New York. See also, Barua and Kurz 2001; Jejeebhoy 1998; Mathur et al 2003.

<sup>209</sup> Hombrecher et al. *Overcoming Domestic Violence*: 47.

<sup>210</sup> *Ibid*: 33.

<sup>211</sup> S.R. Schuler, S.M. Hashemi, and S.H. Badal, 1998. "Men's Violence against Women in Bangladesh: Undermined or Exacerbated by Microcredit Programmes?", in *Development in Practice* 8, 2: 148-157.

to employment that provides a livelihood offers an alternative to staying in a violent marriage and increases women's bargaining power in the Global North and the South.<sup>212</sup> Gender equality in income and employment has been shown to have a stronger impact on women's status than gender equality in education.<sup>213</sup> Women's income leverages change in their household bargaining power and can contribute to a reduction in patriarchal norms and traditions such as early marriage, polygamy, and discriminatory inheritance and land rights that perpetuate patterns of violence against women.<sup>214</sup>

106. Access to paid work that provides a livelihood can provide an alternative to traditional marriage, where there is a fear of violence in the marriage. In India, for example, there are reports that domestic violence has been used as a bargaining instrument to extract larger dowries from a wife's family after the marriage has taken place. One study found that women whose families pay smaller dowries suffer increased risk of marital violence, as do women from richer families from whom resources can easily be extracted.<sup>215</sup> Providing income-generating opportunities for women outside of marriage and the marriage market would significantly improve their well-being by allowing women to leave an abusive husband, or increasing their bargaining power.<sup>216</sup>

107. However, even when women achieve their right to decent work, research reveals that their vulnerability to violence may be crucially affected by men's employment situation. With competitive globalization, some men are finding themselves in precarious employment conditions, earning lower wages than their female partners and relatives, or even unemployed. Gender equality may be reached at the expense of men, in a sort of "equalizing down" rather than up. For instance, in Bangladesh disputes between spouses over loan repayments under women's microcredit programmes funded by large banks and global development agencies have been one of the most frequent sources of domestic violence. An increase in women's income-generating capability may perpetuate or increase occurrences of domestic violence rather

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<sup>212</sup> See A. Farmer and J. Tiefenthaler, 1997. "An Economic Analysis of Domestic Violence", in *Review of Social Economy* 55, 3: 337-358.

<sup>213</sup> Seguino, "The Road to Gender Equality": 52, 67.

<sup>214</sup> R.L. Blumberg. 1988. "Income Under Female Versus Male Control: Hypotheses from a Theory of Gender Stratification and Data from the Third World", in *Journal of Family Issues*, 1: 51-84.

<sup>215</sup> V. Rao, V. and F. Bloch, "Terror as a Bargaining Instrument: A Case Study of Dowry Violence in Rural India", *World Bank Policy Research Working Paper No. 2347*, (2000).

<sup>216</sup> Economic models predict that women's incomes and other financial support received from outside the marriage (family, welfare, shelters, divorce settlements, etc.) will decrease the level of violence in intact families because they increase the woman's threat point. See A. Farmer and J. Tiefenthaler, 1997. "An Economic Analysis of Domestic Violence", in *Review of Social Economy* 55, 3: 337-358.

than end it, as might be predicted.<sup>217</sup> Such situations represent an erosion of traditional male entitlement and patriarchal norms in many societies. Rather than resulting in progressive social adaptation, they may lead to a crisis of masculine identity for marginalized men and to vicious forms of violence against women.

108. The most important deterrents to poverty for women of working age are the extent of women's labour force participation in any given country and the degree of gender equality in the labour market. One best practice case is Sweden, where "good labour market conditions coupled with generous supplementary benefits minimize women's poverty".<sup>218</sup> At an aggregate level, this conclusion corroborates the findings of a study using the WHO dataset on domestic violence, which revealed that countries with greater gender equity in political and economic participation as revealed by the GDI index have a relatively lower prevalence of domestic violence.

109. Some research has also considered the relationship between women's employment, social welfare systems for mothers, and women's poverty, particularly among single mothers and single elderly women. In addition to high levels of women's workforce participation and gender equality in the labour market, this research shows that women are also buffered against the risks of poverty where public benefits such as, old age pensions, single mother benefits, childcare services for single mothers and services for elderly women are available. Women (especially single mothers) are particularly vulnerable to poverty given their high risk of income interruption due to their childcare (and other forms of care) responsibilities. Where countries fail to provide social security provisions, a trend toward the feminisation of poverty becomes evident, especially for single mothers and single elderly women. In Canada, raising social welfare benefits has been a successful strategy in fighting poverty, particularly for elderly women.<sup>219</sup> As this report has found in other literature, poverty is a major predictive factor for violence against women, and freedom from want is closely tied to freedom from fear. Thus, where public provisions are unavailable, it is likely that women will be unable to hold together autonomous households and be trapped in situations of domestic violence.

110. Good labour market conditions coupled with generous supplementary benefits minimize women's poverty, but women are also buffered against the risks of poverty and thus of violence, where there are public benefits such as, old age pensions, single mother benefits, childcare services for single mothers and services for elderly women.<sup>220</sup> Women's right to work is not in itself a sufficient condition for preventing violence against women in the context of competitive

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<sup>217</sup> S.R. Schuler, S.M. Hashemi, and S.H. Badal, 1998. "Men's Violence against Women in Bangladesh: Undermined or Exacerbated by Microcredit Programmes?", in *Development in Practice* 8, 2: 148-157; also S.R. Schuler, S.M. Hashemi, S.M., A.P. Riley and S. Akhter. 1996. "Credit programs, patriarchy and men's violence against women in rural Bangladesh", in *Social Science and Medicine* 43, 12: 1729-1742.

<sup>218</sup> A.S. Orloff. 2002. "Women's Empowerment and Welfare Regimes": 30.

<sup>219</sup> *Ibid*: 29.

<sup>220</sup> A.S. Orloff. 2002. "Women's Empowerment and Welfare Regimes": 29-30.



globalization. Precarious employment, which is by nature temporary and insecure, has rapidly increased at the very same time as women have been entering the labour market *en masse*.

111. In some Northern countries women have been encouraged to take on part-time employment that is low-paid and does not guarantee economic independence, job security or adequate benefits.<sup>221</sup> In many Southern countries, women have accepted precarious employment without social security benefits, including outside conventional labour standards in migrant labour markets or in free trade zones created by governments to attract foreign investment. For example, in Fiji economic subordination, including high female unemployment and a heavy concentration of women in low wage occupations, is considered by some to be a major factor underpinning the high prevalence of violence against women.<sup>222</sup> It is argued that women's unemployment in that country has come about in large part due to trade liberalization which destroyed the viability of the local garment-processing and sugar industries in which mainly women worked. Women's vulnerability to violence may thus increase in unfavorable and deteriorating work conditions, whereas where the employment is adequately remunerated and socially supported, women's risk of violence may be greatly reduced.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

**112. Violence against women is a violation of the right to life and to personal security but also of a whole range of basic economic and social rights. Yet the differential treatment and implementation of the two Covenants (ICESCR and ICCPR) of rights remains a major barrier greatly limiting government and non-state actor efforts to achieve the full and equal realisation of women's human rights in order to prevent VAW from occurring in the first place.**

**113. Against this backdrop this report has examined the interconnections between the current global political economic order and women's enjoyment of their human rights, in particular the implications for VAW; arguing that economic and social rights are essential in enhancing women's capabilities and creating enabling conditions, such that women do not bear the brunt of globalization and economic crisis disproportionately, and can effectively avoid /resist the risk of violence.**

**114. While competitive globalization has created new opportunities for some groups of women, it has disadvantaged others, who have entered the workforce under insecure and unregulated conditions, thus creating new risks and vulnerabilities to abuse and**

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<sup>221</sup> For example, despite gender equality initiatives, in the Netherlands women work fewer hours in the paid labour force on average than a decade previously and only 44 per cent of women can be considered economically independent. See, Special Rapporteur on Violence against Women, its causes and consequences, Mission to the Netherlands, A/HRC/4/34/Add.4, 7 February 2007: 9.

<sup>222</sup> M. Adinkrah. 1999. "Uxoricide in Fiji: the socio-cultural context of husband-wife killings", in Violence against Women 5, 11: 1294-1320. UNIFEM briefing on Violence against Women in Fiji.

**exploitation. At the same time, globalisation has undermined state capacity for enforcement and the provision of public goods and services. This has resulted in a return to community based enforcement and survival systems, which have not only intensified women's work load in order to compensate for the erosion of crucial public services and entitlements but also subordinated women to increasingly conservative cultural discourses that challenge the universality of rights and equality of women.**

**115. The feminisation of migration, along with feminization of the labour force, two important outcomes of globalization, hold new risks and vulnerabilities as well as opportunities for women's empowerment. But neoliberal policies that fail to attend to the basic social and economic entitlements of individuals and families make violence a more likely outcome for women than their empowerment. Restrictive immigration policies focused on national security and a narrow construal of economic interests often limit the options of migrant women workers for safe and independent survival in an alien environment. The challenge lies in creating the guarantees for women to migrate safely and with dignity.<sup>223</sup>**

**116. The current financial crisis, which clearly reflects the inherent instabilities of unregulated markets, offers a crucial opportunity for governments and international institutions to invest in public services and infrastructure to create jobs, improve productivity and revive economic demand. Such investment, if well designed, has the potential to expand women's economic opportunities and enhance livelihood security. The state, no doubt, is not the only authority to be held accountable for violations of women's human rights. Sovereignty in the new global order must be understood as the responsibility of nation-states, as well as the shared responsibility of the international community at large. Therefore, promotion and protection of women's economic and social entitlements to prevent and protect them from violence must be pursued transnationally. The future of human rights and distributive justice will require democratizing cultural, political and economic hegemony.**

**117. In view of the above discussion, a viable strategy to address the underlying socioeconomic causes of VAW must include, but not be limited, to the following broad guidelines, which apply to governments as well as local and international non-state actors:**

**(1) Creation of a gender sensitive knowledge-base**

- **Develop indicators and generate sex-disaggregated data on risk and preventive factors on VAW that include economic and political factors.**
- **Generate sex-disaggregated data on VAW, its causes and consequences in conflict, post-conflict and other reconstruction processes.**
- **Document shortfalls in economic and social rights of women parallel to violations in political and civil rights.**

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<sup>223</sup> N. Varia. 2007. "Globalization Comes Home": 10.

- **Include indicators and targets for eliminating VAW with measures of women's economic and political participation MDG 3 on empowering women, and the UNDP Gender and Development and Gender Empowerment Indexes.**

**(2) Gender competent policy and programming**

- **Design public works programmes in the social and service sectors to promote women's employment and support their role as economic agents by contributing to greater social provisioning needs in the household and community.**
- **Provide non-discriminative economic opportunities and reconstruction programmes that address the economic and social dimensions of women's empowerment in post-conflict and crisis societies.**
- **Codify ES rights in enforceable national law, including guarantees for minimum level of income, food, healthcare etc.**
- **Evaluate all policies of governments and international financial institutions from a gender-perspective guided by ICESCR and CEDAW, with the view to prevent negative consequences for women of economic liberalisation, financial and structural adjustment policies and programmes, and trade agreements. At a minimum, these policies should "do no harm".**
- **Factor in VAW, its causes and consequences in financing for development initiatives, including the Gender Equality Fund partnership and other funds devoted to new institutional mechanisms, research, data and action plans.**
- **Adopt gender responsive budgeting strategies at local, national and international levels.**
- **Adopt gender responsive budgeting strategies at local, national and international levels.**

**(3) Monitoring progress**

- **Ensure that economic stimulus and reconstruction/recovery packages do not privilege physical over social infrastructure investment and/or support for men's over women's jobs, and full-time over part-time economic opportunities in different economic sectors.**
- **Establish intermediary institutions to manage and monitor the rights of foreign domestic workers.**
- **Use cross-national data on trends or patterns that reveal linkages between VAW and women's socioeconomic status (i.e. control over income and productive resources) and monitor over time throughout an individual or family's life-cycle.**

**(4) Transnational cooperation**

- **Invest in public services and infrastructure to create jobs, improve productivity and revive economic demand.**
- **Develop mechanisms to hold non-state actors, including corporations and international organizations accountable for human rights violations and for instituting gender-sensitive approaches to their activities and policies.**
- **Channel international assistance for the realization of economic and social rights.**
- **Establish transnational mechanisms to promote and protect the full range of women's rights and eliminate VAW.**

**Annex**

**LIST OF STATES RESPONDENTS TO THE QUESTIONNAIRE ON  
VAW AND POLITICAL ECONOMY**

Albania  
Argentina  
Bahrain  
Belarus  
Bolivia  
Bosnia and Herzegovina  
Canada  
Chile  
Colombia  
Croatia  
Cyprus  
Czech Republic  
El Salvador  
Estonia  
France  
Finland  
Germany  
Greece  
Guatemala  
Hungary  
Iraq  
Jamaica  
Japan  
Latvia  
Lebanon  
Mexico  
Moldova  
Monaco  
New Zealand  
Norway  
Peru  
Philippines (the)  
Romania  
Russia  
Serbia  
Singapore  
Slovenia  
Spain  
Sri Lanka  
Sudan (the)  
Switzerland  
Syria  
Tajikistan

Thailand

Trinidad

Tunisia

Turkey

Ukraine

United Kingdom of Great Britain and Northern Ireland

United States of America

**List of civil society respondents/consulted**

Alys Willman, USA

Bina Agarwal, India

Dianne Elson, UK

Don Clark, New Zealand

Federica Donati, OHCHR

Floretta Boonzaier, South Africa

Haris Gazdar, Pakistan

Indira Hirway, India

Jane Huckerby, USA

Kathryn Dovey, BLIHR

Korkut Ertürk, USA/Turkey

Luz Angela Melo, UNFPA

Mara Bustelo, OHCHR

Mayra Gomez, (COHRE)

Neetha Narayana Pillai, India

Radhika Balakarishnan, India/USA

Saskia Sassen, USA

Samantha Hung, New Zealand

Shawna Sweeney, USA

Susan Deller Ross, USA

Sylvia Walby, UK

Zina Mounla, UNIFEM

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